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DIGEST OF THE KINGDOM OF

the netherlands

CONSTITUTIONAL ORGANIZATION

Netherlands (Kingdom, 1815-) Departement van Buitenlandse Zaken.

Digest of the Kingdom of the Netherlands

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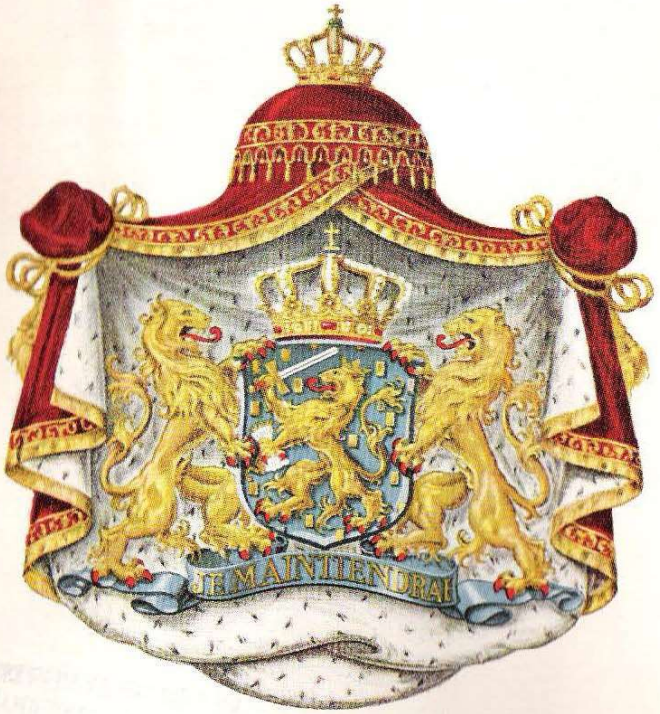
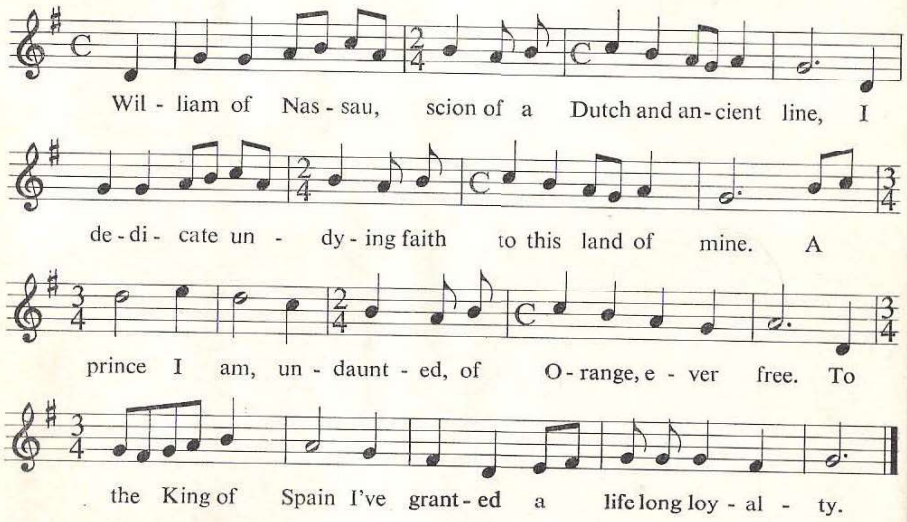


Her Majesty Queen Juliana and His Royal Highness Prince Ber

Wilhelmus

The Netherlands National Anthem



William of Nassau, scion
Of a Dutch and ancient line,
I dedicate undying
Faith to this land of mine
A prince I am, undaunted,
Of Orange, ever free,
To the king of Spain I've granted
A lifelong loyalty.

I've ever tried to live in
The fear of God's command
And therefore I've been driven
From people, home, and land,
But God, I trust, will rate me
His willing instrument
And one day reinstate me
Into my government.

Let no despair betray you,
My subjects true and good.
The Lord will surely stay you
Though now you are pursued.
He who would live devoutly
Must pray God day and night
To throw His power about me
As champion of your right.

Life and my all for others
I sacrificed, for you!
And my illustrious brothers
Proved their devotion too.
Count Adolf, more's the pity,
Fell in the Frisian fray,
And in the eternal city
Awaits the judgement day.

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I, nobly born, descended
From an imperial stock,
An Empire's prince, defended
(Braving the battle's shock
Heroically and fearless
As pious Christians ought)
With my life's blood the peerless
Gospel of God our Lord.

A shield and my reliance,
O God, Thou ever wert.
I'll trust unto Thy guidance.
O leave me not ungirt.
That I may stay a pious
Servant of Thine for aye,
And drive the plagues that try us
And tyranny away.

My God, I pray thee, save me
From all who do pursue
And threaten to enslave me,
Thy trusted servant true.
O Father, do not sanction
Their wicked, foul design,
Don't let them wash their hands in
This guiltless blood of mine.

A new Christian lay, composed in honour of the most Illustrious Lord, Prince William of Orange, Count of Nassau, Patris Patriae, my Gracious Prince and Lord.

O David, thou soughtst shelter
From King Saul's tyranny.
Even so I fled this welter
And many a lord with me.
But God the Lord did save me
From exile and its hell
And, in His mercy, gave him
A realm in Israel.

Fear not 't will rain sans ceasing.
The clouds are bound to part.
I bide that sight so pleasing
Unto my princely heart,
Which is that I with honor
Encounter death in war,
And meet in heaven my Donor,
His faithful warrior.

Nothing so moves my pity
As seeing through these lands,
Field, village, town, and city
Pillaged by roving hands.
O that the Spaniards rape thee,
My Netherlands so sweet,
The thought of that does grip me
Causing my heart to bleed

Astride on steed of mettle
I've waited with my host
The tyrant's call to battle,
Who durst not do his boast.
For, near Maastricht ensconced,
He feared the force I wield.
My horsemen saw one bounce it
Bravely across the field.

Surely, if God had willed it,
When that fierce tempest blew,
My power would have stilled it,
Or turned its blast from you
But He who dwells in heaven,
Whence all our blessings flow,
For which aye praise be given,
Did not desire it so.

Steadfast my heart remaineth
In my adversity.
My princely courage straineth
All nerves to live and be.
I've prayed the Lord my Master
With fervid heart and tense
To save me from disaster
And prove my innocence.

Alas! my flock. To sever
Is hard on us. Farewell.
Your Shepherd wakes, wherever
Dispersed you may dwell,
Pray God that He may ease you.
His Gospel be your cure.
Walk in the steps of Jesu
This life will not endure.

Unto the Lord His power
I do confession make
That Ne'er at any hour
Ill of the King I spake.
But unto God, the greatest
Of Majesty's I owe
Obedience first and latest,
For Justice wills it so.

(Translated by A. J. Barnouw, former Professor of History, Language and Literature for the Netherlands at Columbia University, New York)

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INTRODUCTION

The Netherlands is merely a dot on the globe, scarcely to be located by those who have not learned to point it out. But the visitor will find a country which is almost entirely under cultivation, which is covered by a large number of towns and villages, which is criss-crossed by numerous roads; ships pass along its rivers and canals in an almost uninterrupted stream, aircraft of all countries speed through its skies and set down their passengers and cargo. The visitor to this country will see countless factories and other concerns, many of which have become a household name throughout the world.

It is the aim of this Digest to give a picture of that country and its people.

Since the Netherlands is linked with many countries, it is a natural thing for the Dutch to tell the world about their country, something which they incidentally expect from other countries. Exchange of information, knowledge of one another, these create an atmosphere of understanding, in which nations can come closer together to solve the problems besetting peace in the world and to further the welfare of all.

Every land is seeking the solution to problems of state, society and people, and the Netherlands is no exception, as this Digest will show.

The Dutch people have never lived in isolation. The country is flat; it has no natural barriers such as mountain chains, and the sea in the west and the rivers in the east formed natural highways. Nor did the manners and morals of the Dutch contribute towards isolation, and so in all times foreigners have settled in the Netherlands and Dutch subjects have emigrated. Foreigners came here either because they were attracted by trading advantages, or because they were sought after owing to their professional skill, or because the country offered them the safe refuge which they required as a result of their religious or political views.

And at the same time as the foreigners streamed into the country, the Dutch streamed out. Throughout the centuries the Dutch have settled abroad, either in groups or individually. And so people are to be found everywhere who remember their Dutch ancestry, and it is understandable that as a result the gaze of the Netherlands and its people is naturally drawn towards the outside world.

The Netherlands is conscious of its place in the world, since for centuries its struggle for existence has been closely bound up with that of other countries. Outsides periods of decline, imports and exports have meant much to the Dutch. But not only direct imports and exports; the rendering of services in the form of shipping and air transport, of financial backing and technical assistance are of great importance to the Netherlands in its relations with the rest of the world. And then there is the transit of innumerable products via its ports and traffic arteries, owing to its location on the North Sea.

There is another reason why we wish to give a picture of the Dutch and their country in this Digest. We might call this the reason of reflection. If the countries of the world were to be arranged in order of prosperity and popular education, the Netherlands would be close to the top. Foreign visitors declare in all sincerity that they have nowhere encountered great poverty to any extent.

The cultivation of the country, its struggle against the water, the maintenance of the material and spiritual standard of living of its rapidly growing population and the continual adaptation to the developments of modern technology demand enormous capital and great efforts. The result of this is that the Netherlands must make the most of its resources and its possessions. We feel that the Netherlands should also show this aspect of its problems, since it is after all something which the world must also take into account if we are all to endeavour to follow the path of progress together.

THE ROYAL FAMILY

Her Majesty Queen Juliana of the Netherlands

Queen Juliana was born on 30 April, 1909, as the only child of the 28-year-old Queen Wilhelmina and Prince Henry, Duke of Mecklenburg-Schwerin. The first years of her life were no different from those of any other child. When Juliana was six, a small school class was formed, in which the teaching methods were followed of Jan Ligthart, a famous Dutch educational reformer. The Princess learned to ride, to cycle and to practise Holland's favourite winter sport, skating. In 1920 the well-known Dutch educationalist, Dr Johannes H. Gunning, was placed in charge of the further education of the Princess. He taught her Greek and Latin, and other teachers instructed her in French, German and English, History, Geography, Constitutional Law, Economics, Mathematics and Physics. For five years Princess Juliana also studied the violin.

She frequently accompanied her parents on trips through the country in order to acquaint herself with various problems in practice.

On 30 April, 1927, Princess Juliana reached the age of eighteen, and under the Constitution also attained her majority. She received an income of her own and took up residence in the Kneuterdijk Palace, in the heart of The Hague. A few weeks later she was installed as a member of the Council of State, the advisory body of the Crown.

On 2 May, 1927, Princess Juliana was confirmed in the Dutch Reformed Church. In September of that year she enrolled as a student at the University of Leyden, where she read law for three years. She played a prominent part in the club activities of the girl students.

At the conclusion of her studies Princess Juliana received an honorary doctorate in literature and philosophy. After leaving the university Princess Juliana gradually took a greater part in public life.

To alleviate the distress of the many who had been hard hit by the depression in the Thirties, a National Depression Committee was founded on the initiative of the Princess. For five years she took a very active part, as honorary chairwoman of this committee, in aiding those in need. In 1934 she succeeded her father as President of the Netherlands Red Cross.

On 8 September, 1936, the engagement of Princess Juliana to Prince Bernhard of Lippe-Biesterfeld was announced. They had met each other for the first time in 1936, during the winter Olympics in Garmisch-Partenkirchen, Germany. They were married in St. James' Church, The Hague, on 7 January, 1937. The Dutch people, who had shown themselves very pleased with the marriage, gave the young couple a motor

yacht as a wedding present. The Prince and Princess took up residence in Soestdijk Palace, the former residence of Queen Emma, the grandmother of Princess Juliana, which is situated in the centre of the country.

When the German armoured divisions invaded Holland in May 1940, and it became evident after a few days of fighting that the Dutch army could not resist much longer, the Government decided that the Queen and the royal couple must evade the clutches of the invaders.

After a short stay in London, Princess Juliana accepted an invitation from her aunt Princess Alice, the wife of the Earl of Athlone, the Governor-General of Canada, to come and stay in that country. For five years Princess Juliana lived in an unpretentious house in Ottawa with her daughters Princess Beatrix and Princess Irene, who were both born in Holland. A third daughter, Princess Margriet, was born in Ottawa. In those five years Princess Juliana repeatedly visited the United States of America, sometimes as the guest of President and Mrs Roosevelt. In 1941 she received an honorary doctorate from Princeton University. She also visited Curaçao and Venezuela. After the German capitulation Princess Juliana returned to Holland, where she soon resumed her social activities. The royal couple settled down again in Soestdijk Palace, where on 18 February, 1947, the fourth daughter, Princess Marijke, was born.

Three years after her return to Holland, Queen Wilhelmina abdicated in favour of her daughter, Princess Juliana. The inauguration of the new Queen was held in the 400-year-old New Church, Amsterdam. Her feelings towards her new task are best characterized by her words: "I have been called to undertake a task which is so difficult that no-one who has given the matter a moment's thought would ever covet it, but which is also so wonderful that I can only say 'Who am I to be permitted to do it?'".

The Queen leads an extremely busy life. She devotes herself most painstakingly to her duties as constitutional monarch. Since she ascended the throne in 1948 she has many times paid visits to every part of the country. On these visits she has displayed expert knowledge, and has shown great interest in all social problems.

During the 1953 floods the Queen, as also her husband and the eldest Princesses, was always on the spot when distress had to be alleviated.

In 1955 the Queen, accompanied by Prince Bernhard, paid a long visit to the Overseas Parts of the Realm, Surinam and the Netherlands Antilles, where they were welcomed with great enthusiasm.

Many prominent persons from home and abroad visit the Royal Palace at Soestdijk, both officially and in a private capacity.

In recent years the Queen and Prince Bernhard have received officially the Heads of State of Denmark, France, Norway, Ethiopia, Sweden, Luxembourg, Liberia, Britain, Iran, Belgium, Peru, Argentina, Thailand and Austria.

In return the Dutch royal couple paid state visits to France, Britain, Luxembourg, the United States of America, Norway, Denmark and Sweden.

Queen Juliana has succeeded in adhering to her earlier resolution to be a real mother to her children and to bring them up in a real family circle. Now that the eldest Princess has finished her studies, and the Princesses Irene and Margriet no longer live at home, since they are studying at universities, she has more time to devote to the youngest Princess. In this Prince Bernhard aids her in every respect, so that the Royal Family forms a happy and good Dutch family.

The Queen may rejoice in the faith and devotion of her entire people, who have always entrusted their future to the House of Orange, and have not done so in vain.

H.R.H. the Prince of the Netherlands

The Prince of the Netherlands was born at Jena, Germany, on 29 June, 1911. He was brought up in the rural atmosphere of an East German country estate. His father was a former officer of the German army, his mother Baroness Armgard von Sierestorff-Cramm. She now lives in Holland. A second son, Prince Aschwin, lives in New York, where he is connected with the Metropolitan Museum of Art.

The family lived in retirement on the East German estate, because the father had dared oppose the wishes of the Kaiser with regard to the succession to the Principality of Lippe. Thus Prince Bernhard grew up in an atmosphere of independence. Both of his parents were great lovers of sport, particularly riding. In 1923 Prince Bernhard was sent to a grammar school in Zuelichau. After a few years there he went on to a grammar school in Berlin, which offered wider prospects. In 1929 Prince Bernhard was enrolled as a student at the University of Lausanne, Switzerland, where he lived in an international environment and met people from throughout the world who are still his friends. He then read law at the universities of Munich and Berlin, taking his doctor's degree in 1934. As he did not wish to serve the Hitler regime, he acquired a job with I.G. Farben in Paris. He was soon promoted to an important post.

In 1936 he met Princess Juliana and on 8 September of that year they became engaged, which of course put a stop to his business career.

The Prince soon succeeded in winning the affection of the Dutch people, especially when it quickly became evident that he was trying his hardest to enter into the Dutch way of life. Prince Bernhard learned to speak excellent Dutch in a short time and proved to have a very real interest in the problems of the Dutch people. The marriage between Princess Juliana and Prince Bernhard was solemnized on 7 January, 1937.

The first three years of married life passed by in time of peace. The Prince worked hard and paid many visits to all parts of the country. After war broke out the Prince accompanied his wife and two children to England on board a British destroyer. Whilst the Princess and her children went to Canada, Prince Bernhard remained behind in England, where he was trained as a pilot and appointed Chief Netherlands

Liaison Officer to the Royal Navy, the Army and the Royal Air Force. He later headed the Netherlands mission to the British War Office. However, his main function was that of adviser to Queen Wilhelmina and the Netherlands Government in exile. In September 1944 the Prince was appointed supreme commander of the Netherlands army and air force and of the underground resistance organizations. After the liberation he relinquished this post, but remained Inspector-General of the Netherlands armed forces, in which capacity he is closely concerned with the interests of the Dutch soldiers, sailors and airmen.

The Prince devotes a considerable part of his time to Dutch commerce and industry. For instance, he is a member of the Boards of the Netherlands Industries Fair, of the Royal Dutch Blast Furnaces and Steel Works at Ymuiden, of KLM Royal Dutch Airlines and of the Royal Dutch Aeroplane Factory Fokker.

In 1951 the Netherlands Government asked him to pay a goodwill visit to Venezuela, Brazil and Mexico and to Urugay, Argentina and Chile; in subsequent years the Prince has visited other Latin America countries as well. Since these visits trade between these countries and Holland has grown considerably. The Prince has also paid a large number of subsequent visits to other countries, including some to the United States of America, which have greatly served the interests of the Dutch people.

Like his parents, the Prince is a great lover of riding. On several occasions he has won prizes at shows. He is chairman of the Fédération Equestre Internationale and of the Netherlands Olympic Committee.

Prince Bernhard is an excellent pilot. When travelling in the aircraft which the Government has put at the disposal of the royal family, he usually takes the controls.

The Dutch people think a lot of their Prince. His friendly and cheerful nature, his intelligence and unremitting industry have made of the Prince one of the leading personalities of Holland, whose forceful energy is gladly accepted everywhere.

The Prince is also greatly interested in the arts and in science. Because of his knowledge of Spanish, he was installed in 1951 as chairman of the Instituto de estudios Hispanicos, Utrecht. He was also given an honorary doctorate in technology by the Technological University of Delft. The Prince Bernhard Fund, of which he is the founder and chairman, has set itself the task of fostering the arts and science in the Netherlands by giving commissions and prizes to artists and scientists and by raising the necessary funds.

The Fondation Européenne de la Culture, of which the Prince is also chairman, endeavours to promote mutual understanding and democratic solidarity among the peoples of Europe by joint cultural and educational activities.

The 'Bilderberg' conferences, in which leading personalities in politics and business come together to promote mutual understanding between America and Europe, are likewise under the chairmanship of Prince Bernhard, who is also active in many other fields of social life.

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The Royal Family

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lone; Princess Margriet also became the godchild of the Dutch Mercantile Marine. After her arrival in Holland, she attended the New Baarn School. On 7 June, 1950, Princess Margriet unveiled in the presence of Her Majesty Queen Juliana at Spaarndam a statue, dedicated to young people, of the legendary boy Peter who stopped a hole in the dyke with his thumb to prevent the village from being flooded.
She entered the Baarn Grammar School and passed the final examination in 1961.
Her first official act unaccompanied by her parents took place on 14 June, 1955, when at the age of twelve she laid the first stone of the new chancery of the Embassy of Canada in The Hague.
She unveiled the National Memorial for the Mercantile Marine on 10 April, 1957, in Rotterdam, and on 22 June of that same year she paid a visit to the 'Princess Margriet' Boarding School for Barge-Children in Zwolle.
During the state visit of H.I.M. the Shah-in-Shah of Iran, in May 1959, Princess Margriet named and launched the 'Mohamed Reza Shah' a tanker built for Iran.
In the autumn of 1961 she left for France to study at the ancient university of Montpellier.
She is the actress of the family. Her great talents are telling stories and depicting people. The fact that the Dutch Mercantile Marine is Princess Margriet's godfather manifests itself on all kinds of occasions. On her birthday a delegation from the Mercantile Marine comes to congratulate her and offer her a present.

H.R.H. Princess Maria Christina

H.R.H. Princess Maria Christina (Marijke), the youngest of the four Princesses, was born on 18 February, 1947, at Soestdijk.
She was christened on 9 October of that year in the Dom Church, Utrecht, by the court chaplain, the Reverend J. F. van Berkel. Her godparents were the Grand Duchess Charlotte of Luxembourg, King Gustaf Adolf of Sweden, Sir Winston Churchill, and Mrs D. Post-Salomons, the widow of Johannes Post, who was shot as a member of the Resistance on 16 July, 1944, and A. Wiltens, a leading personality of the intellectual Resistance in the Netherlands during World War Two.
From 1955 to 1959 Princess Marijke was a pupil at the New Baarn School. She officially became a Girl Guide on 16 April, 1958.
As representative of the young people of Holland who had collected money to relieve the flood disaster in Pakistan, Princess Marijke was presented by the Ambassador of Pakistan on 12 June, 1957, in Ouwehand's Zoo, Rhenen, with a dromedary and a young panther. This was her first official appearance.
On 3 July, 1959, Princess Marijke took the entrance examination for the Baarn Grammar School. On 14 March, 1961, she made her first public appearance in 'the world of big people', as she herself put it, when she opened one of the new industries fair halls, the Marijke Hall.

She is a cheerful, lively girl, and in these qualities she closely resembles her eldest sister, who concerns herself with her closely.
The names of the elder Princesses have a symbolical meaning. Beatrix means in Latin 'she who makes happy'. Irene is the Greek word for peace and expressed the hope of her parents that there would be no war. Margriet is the Dutch name of the last flower (a marguerite) that Queen Wilhelmina saw before she left the country for some years in May 1940. Marijke, however, is an ordinary Dutch girl's name, a popular form of Maria.

H.R.H. Princess Wilhelmina

On 31 August, 1880, Princess Wilhelmina Helena Paulina Maria was born in the Noordeinde Palace, The Hague.
When her father, William III, died in 1890 without male heirs (the three sons of his first marriage had all died), Princess Wilhelmina became Queen, but her mother, Queen Emma, acted as regent until the Queen was eighteen, as prescribed by the Constitution.
She received a careful and varied education, adapted to her future task; gradually she also took her place in official events, paid her first visit to Amsterdam, made her first speech and laid her first foundation stone. Apart from frequent trips through her own country, Wilhelmina began to pay visits abroad at an early age.
On 6 September, 1898, Queen Wilhelmina was officially inaugurated in the New Church, Amsterdam. In her speech she quoted her father's words: 'Orange can never, no never, do enough for the Netherlands'.
During her reign great social changes occurred; the growth of industry, labour relations, the whole social structure, all of these created great problems which demanded a solution. Internationally, too, the situation changed.
On 7 February, 1901, the marriage took place between Queen Wilhelmina and the Duke of Mecklenburg-Schwerin, who then acquired the title of Prince of the Netherlands. In 1909 their only child, Princess Juliana, was born.
The period of World War One, in which the Netherlands succeeded in maintaining its neutrality, was characterized by a highly personal influence exerted by the Queen on the conduct of affairs, and powerful bonds were forged between the monarch and her people. And when in 1918, after the war, socialist revolutions occurred everywhere in Europe, which did not leave the Netherlands unscathed either, the people stayed faithful to the monarchy.
After the war the Queen and her husband maintained many contacts with other countries in the form of official and private visits.
On these private visits Queen Wilhelmina was able to engage in her beloved painting; many of her works were exhibited in later years for charity.

In 1934 the Queen-Regent Emma died, and in the same year the Queen lost her husband. Three years later, in 1937, Princess Juliana married Prince Bernhard of Lippe-Biesterfeld.

One year after the fortieth anniversary of the Queen's reign World War Two broke out, and in May 1940 the Netherlands was also engulfed by war. When it no longer proved possible to rule the country, the Queen instructed Prince Bernhard to take his family to safety in Britain, and later to Canada. She herself went to London, where she spent the five trying war-years with the Government in exile and, under the most difficult of circumstances, managed to keep in touch with her people via Radio Orange, the Dutch transmissions of the BBC. Her confidence in the ultimate victory was one of the strongest incitements to keep up the struggle against the usurper. In those years many Dutchmen found their way from occupied Holland to their Queen in exile.

On 13 March, 1945, Queen Wilhelmina again saw her plundered and devastated country as she crossed the frontier in Zealand. A few months after the capitulation of Germany, in July 1945, she re-established herself with the Government in her residence, The Hague. In those days, too, she formed a shining example of energy and devotion to duty and gave her people the lead in rebuilding their country. Many great figures of the war, such as Churchill, Montgomery, Eisenhower, General Foulkes, etc., visited her there in her simple villa.

Wilhelmina remained Queen for three years after the war. Then she felt the time had come to pass the reins to younger hands. A reign of fifty years, entirely devoted to the well-being of her people, was concluded on 4 September, 1948, when she signed the document of abdication and entrusted her throne to her daughter, Queen Juliana. She expressed the desire to withdraw completely from public life and to bear the title which was hers during the lifetime of her father: H.R.H. Wilhelmina, Princess of the Netherlands, Princess of Orange-Nassau.

And so Princess Wilhelmina now lives in the midst of the Dutch people in peaceful retirement, either at Het Loo Palace, out in the country close to her children and grandchildren, or at her house in the dunes near The Hague. She now has time for her beloved painting and occupies herself mainly with religious matters.

This is evidenced by her writing and a number of speeches which have led to her appearing in public from time to time since her abdication, and in particular by her autobiography, 'Lonely but not alone', which has been published in a number of languages during the last few years.

The fact that Princess Wilhelmina still feels intensely for all that happens in the Netherlands also emerged from her silent presence at the National Celebration which was organized by the Dutch people on the occasion of the 12½th anniversary of the reign of Queen Juliana and in which homage was paid to the whole Royal House.

Her Royal Highness Princess Wilhelmina

THE INSTITUTIONS OF THE STATE

Introduction

Article 1 of the Netherlands Constitution lays down that the territory of the Kingdom of the Netherlands comprises the Netherlands, Surinam, the Netherlands Antilles and Netherlands New Guinea.

The information given in this and the next four sections relates exclusively to the political organization of the Netherlands, that part of the Kingdom that is situated in Europe, with the proviso that in matters which concern or also concern Surinam or the Netherlands Antilles the institutions of the Netherlands State act as bodies of the Kingdom, which are also named as such in the Charter of the Kingdom of the Netherlands.

The monarchy is hereditary in the male and female line, with female succession taking place only in default of male heirs. At present Queen Juliana is on the throne. Under the Constitution the Sovereign can do no wrong, and the Ministers are responsible. Furthermore, for some ministerial departments one or more Undersecretaries of State have been appointed, who represent the Minister, the head of the department, in all cases in which the latter considers this necessary, and with due observance of his instructions. By virtue of this the Undersecretary of State is responsible, irrespective of the above-mentioned responsibility of the Minister, the head of the department. The chief task of Parliament, known as the States-General, is to exercise legislative power jointly with the Sovereign. It supervises government by calling upon the Ministers to render an account of their administration and by means of the budget law.

The States-General consist of a Second Chamber, with 150 members directly elected by the people, and a First Chamber, with 75 members elected in indirect elections. The members of the First Chamber are namely elected by the States of the various provinces, and these States are themselves directly elected by the people.

The highest and oldest advisory body of the Sovereign is the Council of State. Its opinion must be sought with regard to such matters as all bills before they are sent to the States-General, and to agreements with other powers and with bodies organized under international law, for which approval of the States-General is prescribed.

The Sovereign

The bond between the House of Orange-Nassau and the Netherlands dates back as far as the sixteenth century.

The first scion of this House, who occupied a leading position in the Netherlands until his death in 1584, was William of Orange, popularly known as William the Silent. At first he possessed only the seignorial title of Count of Nassau. He acquired the title of Prince of Orange because of the fact that his paternal cousin, René de Chalons, lord of the principality of Orange in France, who died childless, willed him the title in 1544, hereditary in the male and female line.

Originally William of Orange was the Governor of the Western provinces Holland, Zealand and Utrecht, the most important of the seventeen states which constituted the Netherlands. He was subordinated to the Regent of the Spanish Kings Charles V and Philip II, to whom the Netherlands then belonged. As Governor he bore the official title of Stadhouder.

William of Orange owes his important place in Dutch history to the fact that he led the rising against Spanish domination, a rising which started in 1568, when the King's Regent tried to eliminate the principal leaders of the nation. On 26 July, 1581, the States-General of the seven Provinces united by the Union of Utrecht since 1579 refused to recognize Philip II any longer as their sovereign, and these provinces became free and independent. It was to this achievement that William of Orange owes his honorary title of 'Father of his Country'.

Up to the Napoleonic era the title borne by the successive members of the House of Orange was always Stadhouder.

The position of Stadhouder was declared hereditary in the male and female line.

In 1814 the Netherlands became a 'Sovereign State' under the son of the last Stadhouder, William V, who as Sovereign was named William I. It was upon this occasion that the Netherlands acquired its Constitution. In 1815 the Sovereign State was rechristened a Kingdom, and William I became the first King of the Netherlands; he remained on the throne until 1840, when he abdicated in favour of his son. After him King William II reigned from 1840 to 1849 and King William III from 1849 to his death in 1890. In 1890 King William III was succeeded by his daughter Queen Wilhelmina, who was then, however, only 10 years old. Until she attained her constitutional majority of 18 years of age, that is to say until 1898, the country was ruled by a specially appointed Regent, the widow of King William III, her mother Queen Emma.

For fifty years, from 1898 to 1948, Queen Wilhelmina ruled the Netherlands. In 1948 she abdicated in favour of her daughter Juliana. Since that time she has lived in retirement at Het Loo Palace near Apeldoorn, in the province of Gelderland, and Juliana rules as Queen of the Netherlands.

As mentioned above, the Netherlands acquired its Constitution in 1814. This Constitution has been repeatedly amended since then, the last occasion being in 1956.

With regard to the succession to the throne, the main provisions contained in the Constitution are that the throne is hereditary for the descendants of Queen Wilhelmina, with right of primogeniture, in the male and female line, men taking precedence over women.

Excluded from succession are, both for themselves and for their issue, all children born of a marriage contracted by a King or a Queen without consultation of the States-General or by a Prince or Princess of the ruling dynasty, except where permitted by law. Should they enter into such a marriage, a Queen would under the Constitution vacate the throne, and a Princess would lose her claim to the throne.

If the prospect should arise of there being no rightful successor according to the Constitution, a successor may be appointed by law, the bill for which must be submitted by the Sovereign. The States-General, summoned for the purpose in double strength, must deliberate and vote thereon in joint session. The initiative in introducing a bill for the appointment of a Sovereign may thus not be taken by Parliament.

If, upon the decease of a Sovereign, there should be no rightful successor according to the Constitution, the States-General must be summoned by the Council of State in double strength within four months after the decease, in order to appoint a Sovereign in joint session.

The King of the Netherlands may not ascend a foreign throne.

As soon as possible after a new King or Queen has ascended the throne, he or she shall, in accordance with the regulations of the Constitution, take the oath and be invested within the city of Amsterdam in a public joint sitting of the First and Second Chamber of the States-General. On each of the successive occasions this ceremony has been held in the Nieuwe Kerk (New Church) alongside the Royal Palace on the Dam, Amsterdam.

After this oath has been taken, homage is paid to the Sovereign in the same sitting by the States-General.

The King, the consort of a Queen and the widow of a King receive an income from the Exchequer under the Constitution. The eldest son or a daughter of the King who is the heir presumptive to the throne also receives from his or her eighteenth year an income from the Exchequer, as do the widow of a Crown Prince and the younger princes and princesses.

The King rules over the Kingdom and over each of the countries that form the Kingdom separately: the Netherlands, Surinam and the Netherlands Antilles.

The Ministers and the Undersecretaries of State

The King can do no wrong, and the Ministers are responsible.

The question of which Minister bears responsibility is decided *inter alia* by the co-

Her Majesty the Queen reading the speech from the Throne to the First and Second Chambers of the States-General, meeting in united assembly. This ceremony - marking the opening of the States-General - takes place each year on the the third Tuesday in September.

signature or countersignature at the foot of Royal decrees involving the collaboration of a Minister.

As in other countries in Western Europe, in the Netherlands the Ministers offer their resignation to the Sovereign after the periodical elections for the Second Chamber of the States-General, which take place regularly every four years.

In order to be able to appoint a new Cabinet, the Sovereign begins in general by seeking advice about the current political situation and the desirabilities and possibilities with regard to the formation of a new Cabinet under the given circumstances. The usual advisers include the Vice-Chairman of the Council of State (the Sovereign himself is the Chairman), the President of the Second Chamber and the President of the First Chamber of the States-General, and also the various political leaders of the principal parties in the Second Chamber. At present there are eight parties in the Dutch Parliament.

Sometimes the Sovereign then appoints an 'informateur', who informs the Sovereign about the political situation in detail. In any case, after information has been acquired the Sovereign appoints a 'formateur', whose task it is to advise him on a specific programme of the new Government and on certain persons who are prepared to accept a post in the new Cabinet. If a formateur proves unsuccessful, he asks the Sovereign to relieve him of his duties, after which a new formateur is appointed. Sometimes this happens more than once.

When the formateur has succeeded in his task, after consulting the political parties represented in the States-General, the Sovereign is informed. The Ministers are then appointed by Royal Decree.

It should therefore be noted that in the Netherlands the general government programme is not a matter which is formally submitted to Parliament for its approval before the new Cabinet accedes to office.

The Cabinet or the individual Ministers do not resign until they no longer wish to bear responsibility, for instance as the result of the rejection of a Government bill or the adoption of an amendment.

It may also be added that in the Netherlands it is not necessary for the formateur to become Chairman of the Council of Ministers. In fact, in the Netherlands formateurs have sometimes even remained outside the Cabinet.

Upon the appointment of the new Cabinet one of the Ministers is appointed as Chairman of the Council of Ministers. He has the title of 'Minister-President', or Prime Minister. The Sovereign also appoints another member of the Cabinet as Vice-Premier.

The Minister of Finance occupies a special position among his colleagues, owing to the fact that he is authorized to object to the voting of moneys which are requested by his colleagues for their departments in the annual draft Estimates, and which do

not appear permissible to him in view of the state of the country's finances. Furthermore, the Minister of Finance supervises the spending by his colleagues of moneys already voted. It is namely laid down that for the spending of voted moneys a credit must be opened by the Minister of Finance, and in certain cases he may refuse to open this credit. If the colleague concerned nevertheless insists on spending the moneys, the Council of Ministers is called upon to adjudicate.

The Netherlands Constitution makes a distinction between Ministers who are the head of a department and Ministers who are not placed in charge of a ministerial department. Appointment of the latter is not imperative.

When the Sovereign appoints Ministers who are not placed in charge of a department, they are Ministers without Portfolio.

The title Minister of State occurs in the Netherlands as in other countries. The office of Minister of State is largely an honorary one. The Ministers of State are therefore not members of the Cabinet. The title is sparingly granted in the Netherlands; at present there are five Ministers of State.

After World War Two it was decided to obviate the difficulties connected with the increasing activities of the Ministers by following the lines of France and Great Britain, where the solution to these difficulties had been found in the institution of the 'sous-secrétaire d'état' in France and the 'parliamentary undersecretary of state' in Great Britain.

In 1948 a similar institution was embodied in the Netherlands Constitution under the name of 'Staatssecretaris' or Undersecretary of State.

The relevant constitutional provision states in the main that the Sovereign may appoint one or more Undersecretaries of State for a department, and that these can represent the Minister in charge of the department in all cases in which the Minister in question considers this necessary, and with due observance of the Minister's instructions.

A Netherlands Undersecretary of State thus acts as Minister, as regards the outside world, for that part of the department's function allotted to him by the Minister. On the other hand he is obliged to follow the Minister's instructions. The Undersecretary of State is therefore not a Minister, and so not a member of the Council of Ministers, though he may participate in the deliberations of this body with an advisory vote.

In the Netherlands the view is held that an Undersecretary of State cannot be charged by the Sovereign with the implementation of Royal Decrees, even if the proposal to that effect comes from the Undersecretary of State himself.

An Undersecretary of State is responsible to Parliament for his actions when representing the Minister. It may be wondered how this tallies with the fact that he must observe the instructions of the Minister. The answer is that if an Undersecretary of State should receive an instruction for the implementation of which he cannot bear

the responsibility, he must resign, as must a Minister who cannot subscribe to a decision of the Council of Ministers. This clearly illustrates the fact that the Undersecretary of State is not a civil servant, but a political figure.

The Undersecretary of State is responsible for his actions, without the Minister's responsibility being lessened, states the Constitution. Thus the Minister himself can always be called upon to account for what he left his Undersecretary of State to do. However, there must be particularly important reasons for this, for if the Second Chamber were to do so it would in effect be censuring delegation. It is assumed that this step will not lightly be taken. It is the custom for the Undersecretary of State to resign when his Minister resigns.

At present there are eleven Undersecretaries of State.

The Ministers in council form the Council of Ministers. The Chairman of the Council is the Prime Minister, appointed by the Sovereign. All Ministers and any Ministers without Portfolio are members. The Council of Ministers of the Kingdom is composed of the Ministers appointed by the King and the Ministers Plenipotentiary appointed by the Governments of Surinam and of the Netherlands Antilles. As we have seen above, the Undersecretaries of State are not members, though they can take part in the deliberations of the Council and the various committees of the Council with an advisory vote.

The principal function of the Council of Ministers is to further unity in the general policy of the Government.

The Council meets as often as it finds necessary. It is the invariable custom that in any case the Council meets once a week, at present on Fridays.

Subjects about which the Council must confer and decide in consequence of a Standing Order laid down by the Sovereign include:

1. bills, before these are sent to the Council of State for its opinion;
2. agreements with other powers;
3. recommendations to be made to the Sovereign for the appointment of high officials and other persons holding important posts, including the Presidents of the two Chambers of the States-General, the Vice-Chairman and the members of the Council of State, the Governors of Surinam, the Netherlands Antilles and Netherlands New Guinea, the Netherlands Ambassadors, the President and the members of the Supreme Court of the Netherlands (the highest legal tribunal in the country), the Crown Commissioners in the provinces, and the commanders of the armed forces.

As regards both the plenary sittings of the Council and the meetings of the committees of the Council, the agenda and the minutes are secret. The Council and its committees may themselves grant exemption from this obligation.

The Council of Ministers of the Kingdom deals with those affairs of the Kingdom which also concern Surinam or the Netherlands Antilles. In this case the Minister Plenipotentiary of the country concerned takes part in the deliberations in the meetings

of the Council of Ministers and the permanent and special committees of the Council of Ministers. Moreover, the Governments of Surinam and the Netherlands Antilles are empowered – if a special case makes this desirable – to have a Minister with an advisory vote participate in the discussions together with the Minister Plenipotentiary of the country concerned.

Parliament and its relations with the Government

The Netherlands Parliament, known as the States-General, consists of two Chambers. First in order of importance comes the Second Chamber, followed by the First Chamber.

Since the contact which the Second Chamber has with the Government, the contact which the First Chamber has with the Government, and finally the contact between the States-General as a whole and the Government all differ from one another, and in view of the fact that there are different types of contact, it will be seen that relations between Parliament and the Government follow a number of separate lines.

A number of important points of contact between Parliament and the Government will be considered below.

Relations with regard to legislation

Legislative power is exercised jointly by the Sovereign and the States-General.

The Sovereign sends to the Second Chamber the bills which have been submitted to him by one or more Ministers after the bills have been discussed by the Council of Ministers and after the opinion of the Council of State has been obtained. If the Second Chamber concurs with the bills it sends them to the First Chamber.

The Government has the right to withdraw the bills which it has introduced in the States-General.

As long as the bill is in the Second Chamber, the Government can amend it.

For certain subjects it is laid down that bills must be considered in a joint sitting of the Second and First Chambers of the States-General. In those cases the joint sitting has the right of moving amendments.

The budget of State expenditure is laid down every year in acts, one act for every department of national government. Before the bills are dealt with by the above-mentioned committees of the Second Chamber they are sent to other special committees of that Chamber, of which there is one for each department.

When considering the appropriation bills the Second Chamber can exert considerable influence on the Government's function by making use of the 'right of moving amendments' mentioned above; it can remove or amend sums of money.

It is the custom of both Chambers to use the debates on the annual appropriation bills as a means of discussing and criticizing the stewardship of the Government.

When in collaboration between the Crown and the States-General a statutory enactment has to be effected which is to apply, or also to apply, in Surinam and/or the

Netherlands Antilles, the States-General act as a body of the Kingdom, and a draft statute of the Kingdom is submitted, which, after being signed by the Sovereign and countersigned by the responsible Minister(s), becomes a statute of the Kingdom.
In this case the Sovereign sends a draft statute of the Kingdom simultaneously to the States-General and to the representative bodies of Surinam and of the Netherlands Antilles. The representative body of the country in which the enactment will apply (either Surinam or the Netherlands Antilles, or both countries) is entitled to examine the draft before the public debate in the States-General and, if necessary, to publish a written report on it within a specified time limit.
The Minister Plenipotentiary of the country in which the enactment will apply is given an opportunity to attend the debate on the draft in the States-General and to furnish such information to the Chamber as he deems necessary.
The representative body of the country in which the enactment will apply is entitled to send special delegates to the sitting of the States-General in which the draft concerned is discussed, in order to furnish such information to the Chambers as they think fit.
The Ministers Plenipotentiary and the special delegates are entitled to amend the draft during the debate in the Second Chamber.
Before the last vote is taken in the Chambers on a proposed statute of the Kingdom, the Minister Plenipotentiary of the country in which the provisions will apply is given an opportunity to state his opinion of such a bill. If the Minister Plenipotentiary states that he is opposed to adoption of a draft, he may at the same time request the Chamber to postpone the vote on the draft to the next sitting. If, after the Minister Plenipotentiary has stated that he is opposed to the draft, the Chamber nevertheless accepts that draft, but with a majority less than three fifths of the number of votes cast, the debate shall be suspended and further consultation shall take place in the Council of Ministers. If a special delegate is present at the debate in the Second Chamber, the right just described shall be his.

Relations with regard to approval of international agreements

As in any other democratic country, international agreements concluded by the Kingdom of the Netherlands must be approved by Parliament before they are receive the Royal assent – except for certain less important cases specified in the Constitution. This approval can be granted explicitly by an act approving the agreement, or tacitly. When the agreement affects Surinam or the Netherlands Antilles, approval is granted by a statute of the Kingdom.
If the Government considers the agreement to be suitable for tacit approval, it simply submits it to Parliament and, when the agreement affects Surinam or the Netherlands Antilles, to the representative body of that country. If neither the Second nor the First Chamber nor in appropriate cases the Minister Plenipotentiary of Surinam or of the

Netherlands Antilles expresses the wish within thirty days after the submission of this agreement that the agreement be made subject to a Parliamentary vote, approval is considered to have been granted by Parliament. If Parliament or in appropriate cases a Plenipotentiary Minister lets it be known within those thirty days that it or he wishes explicitly to approve the agreement, the Government must submit to Parliament a bill approving the agreement.

Relations in connection with government

Whilst with regard to legislation joint action is asked of Parliament and the Sovereign, a more dualistic relationship exists in respect of government. In that case Parliament exercises supervision of the actions of the Government and of its various subsidiary bodies, of the civil service and of the various administrative organs. In respect to government, Ministers are asked to account for their actions as concerns the matters which have been entrusted to them. As in recent times an ever-growing stress has come to be laid on the administrative activities of the executive, the importance of this latter form of contact between Government and Parliament has proportionally increased.
The chief means which Parliament has at its disposal to enable it to exercise this supervision, apart from the right of moving amendments discussed above, are 1. the right of interpellation; 2. the right of questioning and 3. the right of investigation. Contact between the Chambers of the States-General and the Government may result from the petitions regarding the administrative practice of the Government and of its civil service and administrative organs which are sent to the Chambers by private persons.
If such a petition is considered, after investigation, to be of such importance that the Government's opinion should be requested, so that the matter can be further investigated and better judged, the petition is sometimes sent to the Minister concerned with a request for information.
In the event of a conflict between the States-General and the Government, there are two possibilities: the Ministers resign and the Sovereign appoints a new Cabinet, or the States-General are dissolved and new Chambers elected.
It is laid down that if the Chambers are dissolved, the new Chambers must be elected within forty days and must meet within three months.
In the event of dissolution of one or both Chambers of the States-General, the *nomination of candidates for the election* of the members of the new Chamber(s) must take place within 40 days of the signing of the decree of dissolution. The newly elected Chambers must meet within three months of the signing of the decree of dissolution.

Delegation of functions of the State

According as the function of the authorities spread and at the same time penetrated

more deeply into all kinds of fields of public life, the need grew for special bodies and committees of a temporary but also on occasion of a permanent nature which were competent with regard to a specific, more closely defined subject.
Even when they were permanent in nature, these bodies rarely had a legal foundation. In most cases they were well established by Royal Decree, such as the High Court of Labour, the Committees for Economic Policy and the Mines Council, or 'recognized' in the same manner, after they had already been set up by interested parties.
In view of the great influence that these bodies often possess, in the 1932 revision of the Constitution an article was inserted which lays down that 'permanent bodies giving advice and assistance to the Government' must be instituted by law, and by that law rules must be given concerning their appointment, composition, procedure and powers. In this way the Postal Council and the Radio Council came into being, and a new legal basis was given to the High Court of Labour.
Another article of the Constitution provides for the possibility of giving regulating powers to bodies set up by law. One such organization is the Social and Economic Council, which has both advisory and regulating powers.
The lower bodies, too, have delegated their powers – particularly in the field of implementation – to appropriate institutions, given the restrictions imposed by law.

THE COUNCIL OF STATE

General

Together with the Council of Ministers, the States-General and the Auditing Court, the Council of State is one of what are called the High Colleges of State.
The history of the Council of State can be traced back to the sixteenth century, when under the name of 'Conseil d'Etat' an advisory body was set up by Emperor Charles V in the Provinces of the Netherlands for the then Regent of the Provinces.
Some articles of the Constitution of the Kingdom of the Netherlands deal with the Council of State, while the further regulations are contained in the Council of State Act of 21 December, 1861, and in the Royal Decree of 4 September, 1862, based on this Act.
The Council of State might be compared, more or less, with the French Conseil d'Etat. An important difference, however, is that the Dutch Council of State has merely an advisory task, whereas the French body gives its own decisions in administrative disputes.

Membership

The Sovereign is Chairman of the Council of State.
H.R.H. Prince Bernhard and, since 1956, H.R.H. Princess Beatrix are also members of the Council.
The Council of State also has a Vice-Chairman (at present Professor L. J. M. Beel) and 14 ordinary members.
In addition the appointment of extraordinary Councillors of State to a maximum of 10 is also legally possible.
The Sovereign appoints the Vice-Chairman, the members (Councillors of State) and the Extraordinary Councillors of State.
In practice the members of the Royal House rarely participate in the activities of the Council of State, and only in exceptional cases is an appeal made to the Extraordinary Councillors.
The Council is divided into as many committees as there are ministerial departments, so that there is a committee for General Affairs, Justice, Foreign Affairs, Economic Affairs, etc.
Each committee has three members. In addition there is a special committee which deals with administrative disputes (see below).

Tasks and powers

One of the most important duties of the Council of State is to advise the Crown on

legislative matters. The Council also gives its opinion on agreements with foreign states and international organizations and on all matters for which the Sovereign deems this necessary (Article 84 of the Constitution).
Moreover, the Council of State Act prescribes that the Council must also be heard on the annulment of resolutions of Provincial States, Deputed States and Municipal Councils, whilst Section 25 of the Act mentioned above empowers the Council of State to make proposals to the Crown relative to subjects of legislation and administration concerning which the Council considers it desirable to make proposals to the States-General, etc.
Under Section 26 of the Act the committees of the Council of State advise the heads of the Ministries in matters of administration or legislation, if so required.
If the Council deals with affairs of the Kingdom, it acts as Council of State of the Kingdom. If the Government of Surinam or of the Netherlands Antilles so desires, the Sovereign appoints a member to sit on the Council for Surinam or for the Netherlands Antilles. This appointment is made in consultation with the Government of the country concerned. The member may not be removed from office without prior consultation of that Government. The member of the Council for Surinam or for the Netherlands Antilles participates in the preparatory work of the Council of State in those cases where the Council or a committee of the Council is heard on a draft statute of the Kingdom or a general administrative measure of the Kingdom which will apply to Surinam or the Netherlands Antilles or which will relate to matters concerning Surinam or the Netherlands Antilles.
The Council itself usually meets once a week.
The members of the Royal House, if present at the meeting of the Council, are entitled to cast either a decisive or an advisory vote.

The Committee for Administrative Disputes

The Committee for Administrative Disputes consists of the Vice-Chairman of the Council of State, acting as Chairman, and several Councillors of State, the number to be fixed by the Crown. In view of the increase in its activities, this Committee has been divided in recent years into a number of chambers. These chambers consist of 3 to 5 members.
In all cases in which an appeal is made to the Crown, based on act or decree, the Sovereign is obliged to seek the advice of the Committee for Administrative Disputes.
After the case has been taken up with the Committee by the Minister concerned, the files are opened for inspection by the parties and the latter are entitled to submit evidence within a stipulated period.
These case is then dealt with at a public meeting, at which – after one of the Councillors of State has reported on the case – the interested parties are given an opportunity to elucidate their point of view either personally or through a representative.

The parties are summoned to attend this meeting but are not obliged to appear.
After the public session is over, the Committee advises on the case in secret session and also drafts a decision on the dispute on behalf of the Sovereign.
The Crown is not obliged to follow the advice of the Council of State, and the responsible Minister has therefore the power to submit to the Crown a decision deviating from the advice of the Committee. However, pursuant to Section 40 of the Council of State Act the Government is then obliged to publish in the Government Gazette the deviating Royal Decree and the advice of the Council of State itself.
The possibility of deviating from the advice of this Committee of the Council is in practice only rarely resorted to (in 1960 this was done in only two out of over 2,584 cases).

The Auditing Court, like the Council of State, is a body which originated from the absolute monarchy. Even in the Middle Ages the small states which went to make up the Netherlands had auditing courts, which had the task of investigating whether the necessary moneys had been paid to the ruler and whether they had been spent in accordance with his wishes. Gradually centralization occurred in this field, too, under the Burgundian and Hapsburg rulers. In the time of the Republic every region had its own auditing court, so that decentralization recurred, but besides these there was also a Generality auditing court, to which each region sent two members.

The institution of auditing court was also to be found in the unitary state which came into being in 1813, although of course there could no longer be an office in each province.

The Constitution states that there shall be an Auditing Court, the composition and function of which shall be regulated by law. This law is the Accountability Act of 1927. The function of the Auditing Court in supervising the administration of the country's finances is of a remedial nature. This means that the Auditing Court checks afterwards whether the revenue and expenditure have been accounted for in the prescribed manner and whether the various provisions have been properly complied with.

The system of the Netherlands Constitution is that the actual audit is in the hands of the body which also decides on the allocation of resources and the incurring of expenditure. This body is the legislature, consisting of the States-General and the Sovereign. Since it is of course impracticable for the members of the States-General to audit all the revenue and expenditure, the Constitution lays down that the statement of accounts, i.e. the statement of revenue and expenditure expressed in figures, must be approved by the independent Auditing Court before it is submitted to the legislature. However, the audit by the Auditing Court is not confined to checking the accuracy of the figures of revenue and expenditure. Every year the Auditing Court draws up a *report* of its findings. If there is reason to do so, it also gives its views on the suitability of the expenditure. For instance, it investigates whether materials purchased were bought at too high a price. This report also makes mention of whether or not any differences of opinion with a Minister have been settled to the satisfaction of the Auditing Court. This report is sent to the Sovereign, who submits it to the Second Chamber of the States-General. The report is a public state document and it is understandable that public opinion is very interested in it.

The Auditing Court is obliged to make all proposals and communications to the Ministers which in its opinion may lead to economical and efficient administration. The Auditing Court may also establish direct contact with the States-General.

If the Auditing Court refuses to approve an item of expenditure, a bill must be submitted to establish whether the item is to be included in the statement of accounts or not. The advantage of this procedure is that in this way the States-General can give a Minister an opportunity to account for his actions.

The Auditing Court consists of three members, one of whom is the Chairman, and two substitute members. The members are appointed by the Crown from a list of three persons drawn up by the Second Chamber. In connection with this list the Auditing Court sends the Second Chamber a list of recommended names, on which appear the names of six persons.

The members of the Auditing Court are appointed for life, but the law specifies that they are to be relieved of their office when they reach the age of seventy. The lawmakers have not interpreted the provision 'appointed for life' literally. It really implies that a member of the Auditing Court cannot be dismissed at will. For reasons specified in the law a member of the Auditing Court can, however, be relieved of his office by order of the Supreme Court, the highest legal tribunal in the Netherlands. Members' remuneration is regulated by law. The aim of all these provisions is to guarantee the independence of the members of the Auditing Court in respect of the Government. The members have a bureau at their disposal with a staff of about 200. Since 1956 the Auditing Court has also supervised the expenditure of the United Nations, a number of member-countries having been requested to do so in turn for a period of three years.

The States-General

The name States-General was originally given to a body consisting of the delegates of the various regional States, which were made up of representatives of the different classes. This body was summoned at irregular intervals by the ruler in feudal times to obtain income for himself and to discuss important questions. At the time of the Republic of the Seven United Netherlands (from the end of the sixteenth to the end of the eighteenth century) the States-General became a permanent body, consisting of delegates from the seven Provinces, who had one vote per Province. The delegates voted as laid down by the States of their province; they voted on a mandate and after consultation. This could give rise to considerable delay. The States-General of those days have been called an assembly of ambassadors. Although the provinces were theoretically equal because each had one vote, in practice the province of Holland had a preponderant influence owing to its wealth and the size of its population. [1]

In 1815 a two-chamber system was introduced. The First Chamber was to be a Chamber of notables, appointed for life by the Sovereign. The Second Chamber was elected by the Provincial States, who in turn were elected by the three estates: the nobility, the towns and the rural estate. The political significance of the First Chamber in this initial period was only limited. It was regarded as an instrument which the Sovereign could use to impede decisions of the Second Chamber unpleasing to him. Consequently it was sarcastically referred to as the 'Ménagerie du Roi'.

Great changes

The 1848 amendment of the Constitution brought about great changes, under the influence of revolutionary movements abroad. It put a stop to 'rule by the estates'. The members of the Second Chamber were directly elected by those who paid more than a certain minimum in taxes, this minimum being laid down by the Constitution. Direct elections were also introduced for the lower bodies, such as the Provincial States and Municipal Councils. The First Chamber continued to exist. It was elected by the members of the Provincial States from among the country's largest taxpayers.

In 1917 the system of proportional representation was introduced [2] for the election of the members of the Second Chamber, and also universal suffrage for men. Suffrage for women became possible; women became immediately eligible for election. The

[1] See part III, the chapter entitled 'The history of the Netherlands'.
[2] See page 44: The Suffrage.

requirements for membership of the First Chamber were brought in line with those for the Second Chamber.
In 1922 universal suffrage for men and women was introduced, but one provision has remained, namely that the First Chamber is elected by the Provincial States. Thus in fact it is the same voters who elect the members of the First and Second Chambers, only in the case of the First Chamber this is done by indirect election. In practice the political composition of the First Chamber is about the same as that of the Second Chamber.
In 1887 the number of members of the First Chamber was fixed at 50. In 1956 the First Chamber was increased to 75 seats.
The members of the First Chamber sit for six years; every three years half of them resign. They are immediately eligible for re-election. The minimum age for a member is 30. Members' expenses are reimbursed in accordance with a system established by law. The President also receives an annual allowance.
The President of the First Chamber is appointed by the Sovereign from among the members for the duration of one session, which is usually a year.
In 1887 the number of members of the Second Chamber was fixed at 100. This remained so until 1956, when the number of seats was increased to 150, since in the course of the years the activities of the Chamber had grown considerably.
The members of the Second Chamber are elected for four years. They all resign at the same time, but they are immediately eligible for re-election. The minimum age is 30.
The President of the Second Chamber is appointed by the Sovereign from a list of three members drawn up by the Chamber. It is the custom that number one on the list is appointed. The members of the Second Chamber receive an allowance, and their travelling expenses are reimbursed. The President receives an extra allowance. Retiring members receive a pension for every year during which they were a member of the Chamber.

Regulations common to both Chambers

No person may be a member of both Chambers at the same time. The Ministers and the Undersecretaries of State have a seat in both chambers, with an advisory vote. If they are elected as members of the States-General during an election, they may hold both offices for a period not exceeding three months.
There are a number of other offices which do not allow of simultaneous membership of the Chambers: Council of State, Supreme Court, Auditing Court and Crown Commissioner in the provinces.
The members of the Chambers, together with Ministers, Undersecretaries of State and those assisting them are privileged as regards what they have said in the Chambers or submitted to them in writing.

The Chambers meet in public, but the doors are closed when one tenth of the members present demand it or the President considers it necessary. The assembly then decides whether the debate will continue in camera. This is a rare occurrence. In an assembly in camera a decision can be taken about what is debated there.
The ordinary session of the Chambers is opened on the third Tuesday in September by the Sovereign or by a commission acting on his behalf. As a rule the Sovereign opens the ordinary session personally by making a speech in which the Government policy for the coming year is given, known as the Speech from the Throne.
The session of the Chambers is also closed by the King, or by a commission acting on his behalf, when he decides that the interests of the State do not require that the session continue. It is the invariable custom that the session is closed by the commission acting on his behalf.
Usually the ordinary session is closed on the Saturday of the week which precedes the opening. It may therefore be said that the Chambers are in session practically all the year round, which does not of course mean that they meet throughout the year.
Upon dissolution of one or both of the Chambers the Sovereign at the same time closes the session of the States-General.
If the session is closed and the Sovereign dies or abdicates, the States-General meet without a preceding summons.
The Chambers may not debate and vote if more than half of the members are absent. The Standing Orders of the Chambers lay down that debates can take place if at the start more than half of the members have signed the attendance list. The debates can then continue even if some of the members leave the Chamber after signing, so that the number falls to less than half. However, for a vote the presence of more than half the members is necessary.

Joint sitting

With regard to a number of subjects the Constitution lays down that the First and the Second Chamber must meet in joint sitting. In that case the Chambers are regarded as one and their members sit intermingled at will. The President of the First Chamber is in charge of the sitting.
The States-General are opened and closed in joint sitting. When there is no rightful successor to the throne, one can be appointed by a law for which the States-General meet in double numbers. If the Sovereign has already died, the Council of State summons the States-General in double numbers. In order to double the States-General elections are held. Other cases of joint sitting concern the regency and the guardianship, and the swearing-in and investment of the Sovereign.
The joint sitting possesses the right of investigation and the right of moving amendments. It does not have the right of interpellation or the power of initiating legislation.

Each Chamber has rules for its activities, which of course observe the provisions of the Constitution.

First Chamber

The duties of the President include directing the work of the Chamber, keeping order, posing the questions which have to be decided upon by the Chamber and implementing the decisions taken by the Chamber. If he wishes to speak on a subject being discussed, he leaves the presidential chair and returns there after he has ended his speech. In general the President does not participate in the debates. He appoints the committees unless the Standing Orders state otherwise. The President calls a sitting as often as he thinks fit or when five members request this in writing, stating the reasons. A member who continually misbehaves can be suspended from attending the sittings by the President. The Chamber can extend this suspension for a period not exceeding the duration of one session.

For the preliminary examination of bills the Chamber is divided by ballot into four committees. Each committee examines the entire bill. Each committee has a rapporteur, and the four rapporteurs jointly combine the comments made into a report. There is also a central committee consisting of the President of the Chamber and the chairmen of the four committees. The central committee determines the order in which bills are considered.

Besides the above committees, the Chamber also has a number of permanent commissions to obtain information from the Government with regard to certain aspects of Government policy.

There is also a special committee, that for petitions, which is charged with examining these and drawing up a report to be discussed in the Chamber.

Second Chamber

The Standing Orders stipulate in general much the same duties for the President of the Second Chamber as for his colleague in the First Chamber. If the President wishes to speak on a subject being debated, he leaves his seat but does not occupy it again until the debate on the subject has ended. The Chamber divides into five committees by ballot for the preliminary examination of bills. The central committee consists of the President of the Chamber and five members of various political groups in the Chamber. It is the invariable custom that these are the representative leaders of the five largest parties in the Second Chamber.

By no means all bills are examined in the committees. They can namely also be sent to one of the many permanent commissions of the Chamber or to a commission which is specially set up for the bill in question. An important advantage of these commissions is that they consist of members who are expert in the subject concerned, whilst the committees, as mentioned above, are formed by ballot, so that any members who happen to be expert on the topic in question are divided haphazardly among the five committees. All subjects which are of general political importance are sent to the committees (insofar as they are not suitable for a preparatory committee because they are not important enough for it).

The discussions of the committees and commissions are not public, but a report of the discussions is available to the public and the press.

The Standing Orders of both the First and the Second Chamber make it possible for the membres individually to put questions to the Ministers to obtain information. The importance of this is considerable, since the members have the habit of asking questions about all kinds of topical matters and events. Both the questions and the answers are public.

Rights of the Chambers

Both Chambers, both separately and in joint sitting, have the right of investigation, regulated by law. The significance of this right is that the Chambers can acquaint themselves, independently of the Government, with Government policy and with certain conditions in the country. It was granted to the Second Chamber in 1848 and to the First Chamber in 1887. As stated by the Constitution, this is regulated in the law dating from 1850.

The law governs the procedure of the investigation. Witnesses and experts are obliged to furnish the information requested of them, on pain of imprisonment and prosecution in the civil courts. However, no-one can be obliged to disclose his individual interests and the secrets of his craft, business or trade. Those who by virtue of their rank, occupation or legal office are pledged to secrecy may be exempted from giving evidence. This therefore implies, among other things, that civil servants may refuse to give information. Similar rights apply to Ministers and ex-Ministers, so that an investigation into Government policy can only succeed if the Government is prepared to cooperate. However, in a parliamentary democracy it may be assumed that the Government will naturally give the maximum cooperation possible, since otherwise a serious breach would occur in the mutual trust between Ministers and Chambers. Use has been made of the right of investigation only rarely. The Chambers have at their disposal other and simpler means of obtaining information, by inviting the Government to institute an investigation insofar as the latter does not already possess the requisite information. Mostly it can be expected that the Government will attend to such matters itself, since it is the appropriate body for preparing all kinds of measures.

And yet the right of investigation has been of considerable value. The most famous investigation in Parliamentary history is that of 1886 into the workings of the law for the prohibition of child labour. The report by the investigating committee led to a series of measures for the protection of workers and the regulation of work. Other investigations, in which non-members of the Chambers also cooperated, related to the state of railway workers in 1903, after a major strike, and to the measures taken to combat the depression in the First World War.

In recent days there has been the parliamentary investigation into Government policy in the Second World War and shortly afterwards and before, when it was not possible for the Government to give an account of its policy to Parliament. This was a very extensive investigation which greatly clarified the policy followed by the Netherlands Government in London and preceding events during the time of the mobilization.

Another important right which both Chambers possess is that of interpellation. This is of course closely connected with the constitutional duty of the Minister to give either orally or in writing such information as has been requested and can be given without this being judged to be at variance with the interests of the State. The members do not therefore each possess this right individually; it is vested in each of the Chambers as a whole, even though one member naturally carries out the interpellation. Before doing so he requests the permission of the Chamber, which is granted as much as possible. When the Ministers have answered, the interpellation ends with the expression of thanks by the Chamber or, if it thinks it necessary, with a motion in which the Chamber expresses certain wishes or a motion of no confidence. However, the Ministers are not obliged to carry out what is demanded in a motion. They may ignore the motion. This occasionally happens in practice, although the Government naturally tries to meet the wishes of the interpellating Chamber as much as possible. It rarely happens in the Netherlands that interpellation ends with a motion of confidence or no confidence.

The Second Chamber has the right of moving amendments, the First does not. This covers the making of amendments in bills which are sent to the Chamber by the Government. This is an essential tool for legislation and much use is consequently made of it, although in practice it often occurs that a Minister takes over an idea before it is put in the form of an amendment. The submission of amendments is carefully regulated in order to ensure that the Chamber is not too hasty in doing so.

When a Minister advises against an amendment and makes the matter a vote of confidence as to whether he should remain in office, he will resign if the amendment is adopted. When a Cabinet insists on the Minister remaining, and threatens to resign unless this occurs, a cabinet crisis is the result. However, it may also happen that as a result of an amendment being adopted, the Minister concerned requests the Queen's authorization to withdraw the bill, so that matters rest there.

Another right is that of the States-General to initiate legislation. The recommendation

to this effect must come from the Second Chamber only. A proposal for a bill by the Second Chamber must be approved by the First Chamber before it is submitted to the King for signature and assent. In general little use is made of this right, since the Government is the appropriate body for initiating legislation and is equipped to do so, which is not the case with the Chambers.

In the Netherlands the members of the Second Chamber of the States-General, the Provincial States and municipal councils are elected by universal suffrage. The members of the First Chamber of the States-General are elected by the members of the Provincial States.

Universal suffrage was introduced for men in 1917 and for women two years later. Those qualified to vote are all who are Netherlands subjects or are recognized by the law as Netherlands subjects, who have reached the age of 23 and who are resident on nomination day in the Kingdom in Europe, the province or the municipality (for the election of members of the Second Chamber, the Provincial States and municipal councils respectively).

Every municipality has its own electoral register, the data for which are taken from the municipal civic records.

Proportional representation

In 1917 a system of proportional representation was introduced. The chief characteristics of this system are a. lists of candidates, b. the whole country or province is regarded as a single constituency and c. the single preferential vote.

On nomination day lists with candidates, signed by at least 25 voters, may be submitted. No voter may sign more than one list. In the Netherlands, therefore, political parties as such do not put forward candidates, even though they are closely concerned with the preparations therefor. For the elections of the Second Chamber the country is divided into 18 electoral districts. Lists can be combined. This can only be done by an official declaration by the Electoral Council. Since for the election of the Second Chamber the whole country is regarded as a single constituency, a party which wishes to gain the maximum possible number of seats has to submit a list in every district.

When a list of candidates for the election of the Second Chamber is submitted to the Electoral Council, it must be accompanied by a statement to the effect that the sum of 500 guilders has been paid into the State account. This sum is repaid after the elections, provided that the number of votes cast on that list exceeds 75% of the quota. Otherwise the money goes to the State. An unsuccessful party could lose eighteen times 500 guilders. This is done to prevent the proliferation of small parties.

Since for the election of the Second Chamber the whole country is regarded as one constituency, the seats are divided among the parties who have at least reached the quota. The quota is obtained by dividing the total number of votes in the whole country by 150. In 1959 5,999,531 valid votes were cast. The quota was therefore $5{,}999{,}531 : 150 = 39{,}996^{131}/_{150}$. The maximum number of seats to be allotted to

each list of candidates is then fixed. The rest of the seats are allotted to the parties who have the largest number of votes per seat.

The Electoral Council is the supreme authority for all matters concerning elections. Its decisions regarding the results of the elections for the First and the Second Chamber are final. For the elections to the Provincial States each province is also divided into electoral districts, varying in number from two to ten. In the case of municipal elections a municipality is usually regarded as a single electoral district. However, local authorities with more than 20,000 inhabitants may be divided into two or three wards. But neither this nor the subdivision into electoral districts in any way departs from the principle of the single constituency. However, the subdivision into districts and wards is important for the maintenance of regional and local character in connection with the nomination of candidates, though in practice it is often the same candidates who appear on the lists for a given group, occasionally in a different order. Furthermore, the names of candidates who are very well known in a certain region sometimes appear in the 'non-eligible' places. The elector votes by filling in a white space in front of the name of a candidate on the list with a coloured pencil.

The members of the Second Chamber of the States-General, of the Provincial States and of municipal councils are elected for four years. The elections for these various representative bodies are generally not held in the same year. Both the Second and the First Chamber may be dissolved in the midst of the four-year period, in which case new elections take place. However, this rarely happens. The Chambers must be dissolved after an amendment to the Constitution has passed its first reading. In that case, too, new elections are held. Nomination day for the Second Chamber is the second Tuesday in April and for the Provincial States also the second Tuesday in April or, if the voting falls in Easter week, the first Tuesday in February. For the municipal councils nomination day is the third Tuesday in April. The elections are held on the 43rd day after nomination day. Only when the Chambers have been dissolved does the Crown decide when the elections will be held.

Polling stations

Before polling day every voter receives a personal summons to appear at a certain polling station between 8 a.m. and 7 p.m. If he does not appear he may be fined an amount not exceeding five guilders. But, although the voter is obliged to appear at the polling station, he is not obliged to vote. He is free to leave the spaces in front of the names of the candidates blank, though he should still deposit his ballot paper in the special ballot box. Thus voting is not compulsory in the Netherlands, but attendance at the polling station is. About 93 per cent of the electorate appears at the polling stations. The number of invalid votes is very small and has never exceeded 3 per cent. There is one polling station per 1,000 voters. A committee of three members at each polling station checks whether the voters have appeared or not. When

the voter enters the polling station he is given a ballot paper which he fills in in a screened place. Voting is secret. The voter folds the paper and deposits it in the sealed ballot box.

Under the Electoral Act every elector must be given an opportunity to vote.

As mentioned above, the polling stations close at 7 p.m. In each polling station the votes are then counted and arranged under lists. The number of votes cast for each candidate is also noted down. The counting of the votes takes place in public. Any voter has the right to raise an objection to some part of the proceedings, and this objection must be included in the report of the polling station. All the ballots and other documents are sealed and taken to the chief polling station which is situated in every electoral district. Here the data are all collected and sent to the Central Polling Station, where the results are worked out. The Central Polling Station – for the elections for the Second Chamber this is the Electoral Council – announces the names of the candidates elected. The latter are informed of their election. Their credentials are examined by the body to which they have been elected. If they prove to comply with all legal conditions, they are admitted.

The procedure for the election of the members of the First Chamber is practically the same as described above. However, the members of the First Chamber are elected for six years; half of them resign every three years. If the First Chamber is dissolved all the 75 members resign at once, and new elections are held. In that case a ballot decides which of the members of the Chamber resign after three years.

Nomination day is the second Tuesday in July, and polling day is 23 days later. If the entire Chamber is dissolved, the Crown fixes the dates. The members of the Provincial States make the nominations. Every member of the Provincial States has the right to submit a list of candidates, which, however, may not contain more than ten names. The elections are held at a sitting of the Provincial States, during which the votes are also counted. The data are sent to the Electoral Council, which works out and announces the results.

The Electoral Council is at the same time the permanent advisory body for all matters connected with elections. The Council consists of five members. There are three substitute members. The Council has its seat in the Ministry of Internal Affairs at The Hague.

Only towards the end of the nineteenth century did the Netherlands acquire political parties in the strict sense, with clear-cut organizations and party programmes. Prior to that time it was rather a question of political trends. Before the reform of the Constitution in 1841, the outlines of political opinion were vague. One could distinguish the supporters of the status quo from the more or less liberal proponents of reform. The reform of 1848 immeasurably increased the importance of Parliament and this made possible the emergence of more clearly defined political trends. In the main, four political trends could be distinguished, two of which, the Conservative and the Liberal, were long dominant. The Conservatives in general resisted the extension of popular influence on the Government of the State, whereas the Liberals wanted the suffrage to be gradually extended, a greater share in legislation to be given to Parliament and the Ministers to be made responsible to the States-General. At first the Catholics generally supported the Liberals, who had helped them to achieve emancipation from most of the remaining disabilities resulting from the restrictions – still in force at the time – that had been imposed on the Catholic religion in the days of the Republic. But the Catholics increasingly turned away from the Liberals. In 1864 the Pope condemned liberalism in his encyclical Quanta Cura. Four years later there was published in the Netherlands a pastoral letter of the same purport concerning non-sectarian education, which had been defended by the Liberals. Catholic groups came into being in the States-General and the first signs of collaboration were evident. The fourth trend was that of a Protestant group, which was opposed to the French Revolution and the political concepts which had emanated from it and had been propagated since. In view of this, they called themselves Anti-Revolutionary or Christian-Historical.

The education controversy

After 1870 the parties began to emerge more clearly. While the Conservatives rapidly diminished in numbers, and by about 1880 had practically ceased to exist as such, the Liberals reached their greatest strength. The Catholics and the Anti-Revolutionaries soon began to collaborate. They came to terms on a common front against the Liberals' education policy. As a result of its historical development, education was mainly a State affair. The schools run by the authorities were called public schools; schools on a denominational basis were called special schools. However, the great difficulty for these special schools was how to obtain adequate financial means. The Liberals were opposed to the granting of sub-

sidies by the State. For years a political battle was waged on this issue between Liberals on the one hand and Catholics and Anti-Revolutionaries on the other hand. This became known as the 'schools conflict'. Gradually it proved possible to arrive at a compromise, owing to the fact that the State proceeded to subsidize the special schools, whilst the public schools retained their non-sectarian nature. This was made possible by the fact that the Catholics and Anti-Revolutionaries greatly increased in number in Parliament and that many Liberals and the Socialists, who first gained seats in Parliament about the turn of the century, recognized the necessity of special primary education being placed on the same financial footing as public education.

In 1897 the Roman Catholic State Party was founded. It continued to exist until the Second World War, when the Germans forbade all political parties, with the exception of the National Socialists. From 1897 to 1940 the Roman Catholic State Party represented practically the whole Catholic section of the Dutch nation, which forms thirty to forty percent of the whole. There were no other Catholic parties, apart from a few minor and temporary exceptions.

A few years before the Roman Catholic State Party was formed, a split had occurred in the groups of the Liberals and the Anti-Revolutionaries, the immediate reason for which was the extension of the suffrage after the revision of the Constitution in 1887. The more right-wing Liberals left the Liberal Union, founded in 1885, and formed a separate group which they called the League of Free Liberals. In 1901 the most progressive Liberals left the Liberal Union and founded the Liberal Democratic League. However, ultimately the Liberal Union and the League of Free Liberals joined to form the Liberal League of Freedom.

After the extension of the suffrage the Free Anti-Revolutionaries left the group of the Anti-Revolutionaries. In general their leaders were persons of good family who wished to have greater political freedom, while all kinds of religious questions also played a part in the schism and became later on of increasing importance for the separation between the different Protestant political parties. The Free Anti-Revolutionaries later joined with other small groups to form the Christian-Historical Union, which came into being in 1908.

In 1894 the Social Democratic Workers' Party was founded. Three years later it obtained two seats in Parliament. A new element had now entered political life, since this party was confined almost exclusively to the working classes.

Thus from 1890 to 1910 political parties came into being in the Netherlands. Two major trends may be distinguished in this development. The Catholic and Protestant parties found their basis in religion, which led to these parties gaining support from every class of the population. This is what is known in the Netherlands as a vertical organization on a religious foundation.

The Liberal and Social Democratic parties, however, were founded rather on a philosophy of life. According to these parties social and economic problems were the chief subject of politics and in their view religious beliefs did not constitute an adequate guide in these matters. The Social Democratic Workers' Party addressed itself almost entirely to the working classes, whereas the Liberals appealed more to the intellectuals and the upper and lower middle classes. This is what is known as a horizontal organization.

Needless to say, this vertical and horizontal arrangement led to numerous difficulties for political life. Moreover, the two groups were divided among themselves. The Liberals and Socialists were often hostile to one another. For instance, in 1913, when they had a joint majority in the Second Chamber, an attempt to form a coalition government failed. And though the Catholics and Protestants had formed a coalition, it repeatedly proved that cooperation between them was difficult.

In the occupation years there was no question of political life in the Netherlands, since the democratic parties were forbidden.

After 1946 the old parties returned to the scene in the main, though in some cases the names were different.

The Roman Catholic State Party made way for the Catholic People's Party, the KVP. It continued to represent the same section of the population, although it opened its ranks to non-Catholics. However, the working class element proceeded to occupy a much greater place in the KVP than in the Roman Catholic State Party. This process did not take place smoothly. In 1948 the more conservative members of the KVP broke away to form the Catholic National Party, which, however, ceased to exist in 1956, so that there is only one Catholic Party now.

The Anti-Revolutionary Party and the Christian-Historical Party returned unchanged, though in their case, too, the working-class element was more strongly represented.

The Social Democratic Party made way for the Labour Party. The latter was no longer confined to the working classes. It had explicitly opened its ranks to Catholics and Protestants, and gave expression to this trend by forming Catholic and Protestant study groups.

The two liberal groups, the Liberal League of Freedom and the Liberal Democratic League, did not return as such. After something of a quest a new liberal party was founded. Some of the supporters of the Liberal Democratic League joined with those of the Liberal League for Freedom to form the People's Party for Freedom and Democracy, the rest turned to the Labour Party.

After the Second World War the Communist Party flourished, partly as a result of the fellow-feeling for the Soviet allies in the war. However, the number of supporters gradually declined and now is not more than five percent of the electorate.

Apart from the above parties, there are two further political groups represented in the parliament, viz. the Political Reformed Party and the Pacifist Socialist Party.

Legal basis

In the Netherlands a political party has as such no legal status. In the eyes of Dutch law it is an association, nothing more. The principal importance of the political party is in doing preparatory work for the elections by defining and publicizing political aims and by putting forward candidates for the Second and the First Chamber, the Provincial States and municipal councils.
Since 1946 every party has devoted more attention to organization and party machinery, and this has found expression in greater activity in the field of propaganda. Owing to the different natures of the political parties and the system of proportional representation, landslides are rare. This fosters political stability to no inconsiderable extent, and furthers smooth development of the country's resources. After the war the Catholic People's Party and the Labour Party formed a coalition government with one or more of the smaller parties (Anti-Revolutionaries, Christian-Historical or People's Party for Freedom and Democracy). This collaboration ceased in 1958, since then the Labour Party has been in opposition. The present Cabinet consists of members of the Catholic People's Party, the People's Party for Freedom and Democracy, the Anti-Revolutionaries and the Christian-Historical Party. Although during elections and when a Cabinet is being formed the differences in political outlook are often dilated upon, readiness to collaborate has proved to be considerable since the liberation. This is in accordance with the moderate nature of the Dutch, who care nothing for acrimonious party politics and who like to see the maximum of consideration being given to the interests of all.

Catholic People's Party (KVP)

The Catholic People's Party wishes to promote general welfare in the Kingdom of the Netherlands. It takes as its basis the principles of the natural moral law and the Divine Revelation, with regard to which it accepts the pronouncements of the ecclesiastical authority.
By virtue of the principle of subsidiarity the KVP demands that the State recognize and respect the communal associations which citizens themselves form. In this connection the family, as the first and principal natural community, should be protected by the State and supported as much as possible. Guarantees are likewise asked for the independence of the territorial and functional communities, with their being granted the status of public corporations where possible.
It is the duty of the State to protect the human person and not to restrict the exercise of individual rights any further than is strictly necessary in the common interest.
As regards international policy, the KVP takes as its basis the natural solidarity of

States. The world community and the individual state communities should be given such a form and such equipment as they require to be legal and economic communities and as the separate states require to achieve their own aims. In the present circumstances special attention must be devoted to the United Nations and the world organizations connected therewith, as also to the various associations of a regional nature. The endeavours to achieve Atlantic and even world federal cooperation should be vigorously aided.
The KVP has more than 400,000 members (about 25% of the figure of those voting for it), who go to make up some 1,300 branches.
At the Branch Meetings the delegates are elected to the 18 District Meetings, which correspond to the 18 national electoral districts. The chairmen elected by the District Meetings are members of the Party Executive. The District Meetings further elect the delegates to the Executive Council (organizational questions, e.g. regulations, election of the chairmen, budget, etc.) and to the Party Council (political matters).
Besides the 1,300 branches the KVP also has more than 750 study groups and 700 'shock troops'; the latter are responsible for propaganda.
The youth organization of the KVP, which has the same structure as the parent body, numbers more than 300 branches with about 4,000 members.
A Central Advisory Bureau for Local Government Policy assists Catholic members of local councils who belong to the Catholic Association for Members of Municipal Councils.
Furthermore, the KVP fully subsidizes the work of the Centre for Political Education, which gives advice upon request and on its own initiative to the Party and the Parliamentary Party.
Address: 25, Mauritskade, The Hague.

Labour Party

The Labour Party was founded in 1946, as the result of a fusion of the former Social Democratic Workers' Party, the Liberal Democratic League and the Christian-Democratic Union. These were joined by a group of members of the Christian-Historical Union, the independent Socialist resistance group around the underground newspaper 'Parool', part of the Catholic resistance group Christofoor and political independents who up to then had not been able to find a place in a Dutch political party, owing to the predominantly denominational nature of the Dutch political system. The newly formed Labour Party set itself the aim of being a progressive people's party. Its Constitution states that the democratic socialism at which it aims is a social objective, which can be realized by proponents of differing religions or philosophies. The Labour Party accepts the right of the churches and denominational organizations

to have a say in the form which society is to adopt. The Labour Party considers th attempt to break through the rigid political lines dividing religious and non-sectaria parties a pre-requisite of the creation of a society which does justice to the unity i diversity of the Dutch people and which enables the Netherlands to fulfil its obliga tions within the comity of nations.

Besides problems of the day, this 'break-through' has been a fundamental issue i every election since 1946. The percentage of votes cast for the Labour Party at th various parliamentary elections has followed the trend given below:

1946	28.3%	1952	29.0%
1948	25.6%	1956	32.7%
		1959	30.3%

From 1952 to 1959 the Labour Party was the strongest political group in the Second Chamber. In the 1959 elections it had to cede this position to the Catholic People's Party.

The Party aims at developing the human personality and to do this tries to create equal chances for all by its cultural and particularly its educational policy.

Further important points on the Party programme are the provision of social security, full employment and a just distribution of burdens according to means. The Party considers that the means to this end lie in reasonable consultation in the political, economic and social fields. It believes that this consultation must take place not only within the framework of parliamentary democracy but also in new bodies (such as the Foundation of Labour, the public corporations and the Social and Economic Council) in the economic field as a development towards economic co-partnership, and therefore works towards the realization of this.

The international objectives of the Labour Party include the development of the various national communities into a supranational society on the basis of an international legal order. Parallel to the support which the Labour Party lends the Netherlands Government in its collaboration in the United Nations and its agencies, the Party is cooperating in more restricted regional associations.

It is a convinced supporter of the North Atlantic Treaty Organization and the Western European Union. Its representatives are firm advocates of European unity.

The Labour Party numbers about 147,000 members and is organized throughout the country in some 900 branches.

At the biennial public congress, during which the political, organizational and financial position of the Party is discussed, a national committee of 25 members is elected, of which 9 members form the executive.

Several times a year the Party Council meets. This consists of representatives of the branches organized into regions.

In accordance with its aims the Labour Party has within its ranks a Protestant, a Catholic and a humanistic study group with separate monthly journals. It also has an organization for women and one for young people, and in the Dr Wiardi Beckman Foundation has a scientific institute.

The Labour Party is affiliated to the Socialist International. The national secretariat is established at 31, Tesselschadestraat, Amsterdam.

People's Party for Freedom and Democracy

The People's Party for Freedom and Democracy (the VVD) is a political organization which regards the freedom of man – who by his very nature is intended to live in a community as a free person – as the most valuable of possessions. It considers the free human spirit to be the mainspring of the community.

The VVD is aware that true freedom is possible only if it is accompanied by responsibility. It is the task of democracy to create the conditions under which that responsibility can appear to full advantage. To do this, it is in the first place necessary that the people's feeling of independence be fostered. In the political field this means the maintenance of the parliamentary system of government, and in the social field the creation of institutions which ensure that a responsible policy is followed by employers and employees.

The aim of the policy followed in both the political and the social institutions must be the realization of social justice by constant cooperation from day to day in consultation with all groups of the population. With respect to foreign policy, the Party demands collaboration in any attempt to strengthen international legal order. Realising that right cannot be upheld without strength, the Party recognizes the necessity of maintaining a modern army, navy and air force, on the one hand for the direct defence of all the nation's territory and on the other for participation in collective security actions.

The VVD considers it necessary that the Netherlands takes a realistic line in following her foreign policy. The Party is desirous of having the struggle for an international community governed by law continued within the framework of the United Nations; the Netherlands should on all occasions act firmly in this matter for the right of the small nations to have their say, too, in major world problems.

The organizational structure of the VVD is relatively simple. The branches in each of the 18 national electoral districts form a Federation, whilst they furthermore send delegates with the right to vote to the General Assembly – the highest organ of the party – in accordance with a sliding scale. The General Assembly elects the members of the Central Committee, who number not less than 21 and not more than 27. The

Chairman, the Vice-Chairman, the Treasurer and 4 other members appointed for th purpose by the General Assembly form the Executive. The members of the Centr Committee are elected for a period of 3 years and are immediately eligible for r election for a second term of office, with the exception of the members of th Executive, who are immediately eligible for re-election for as often as they themselv wish it.

Furthermore, there is a Party Council, consisting of the members of the Centr Committee, two representatives of each Federation and the members of the Party wh are members of the States-General. The function of the Party Council is an advisor and stimulating one.

The members of the VVD who have a seat in a representative body are themselv responsible for the decisions which they take without binding mandate and in accor ance with their free convictions.

Besides a propaganda committee and a number of other specialized committees, th VVD also has several political committees.

The members of the VVD who have a seat on a municipal council or in the Provinci States together form the Association of States and Council Members of the VVD The membership of this association is at present about 600, whilst the membersh of the VVD is now approximately 30,000.

Address: 61, Koninginnegracht, The Hague.

Anti-Revolutionary Party

The Anti-Revolutionary Party is a Protestant party with a Calvinist background It has 1,000 voters' associations, to which are affiliated 100,000 members. It ha 14 representatives in the Second Chamber. The Party possesses a scientific institut for advisory purposes, the Dr Abraham Kuyper Foundation, with a monthly journal 'Anti-Revolutionaire Staatkunde' (Anti-Revolutionary Politics), whilst an Advisor Board prepares reports on topical problems. The Party also has its own weekly 'Nederlandse Gedachten' (Ideas of the Netherlands). The address of the party i 3, Dr Kuyperstraat, The Hague.

The Party is based on Christian principles. It accepts the Bible as the source of truth and as a guide for political life, too. Its aim is to advocate Christian politics. Its leit motif is freedom and responsibility for man, association and business concern, th stress falling on responsibility.

Its general guiding principles are the maintenance of authority, spiritual freedom moral forces among the people and social justice.

The Party postulates that economic life must be able to develop in freedom and that the means of production and distribution must be left in the hands of private ente

prise wherever possible. However, the authorities have their own responsibilities in that field.

Social policy must be directed towards awakening and strengthening feelings of responsibility on the part of the individual and the various groups in the community. The Party demands:

freer wage determination, with Government coordination;

furtherance of the acquisition of property by the individual;

co-partnership in industry;

revision of the National Insurance Act.

It defends free Protestant education (primary, secondary and advanced) and demands that this have financial equality with State education.

It asks that support be given to everything which can reinforce international legal order; it wishes progressively to further the social and economic unity of Western Europe and demands that the North Atlantic Treaty Organization and also aid to underdeveloped countries be maintained and strengthened.

Christian-Historical Union

The Christian-Historical Union (the CHU) was founded in 1908. According to the Party Constitution, the guide and the criterion in the exercise of authority in the State should be what is revealed in Holy Writ, irrespective of the persons who are invested with any authority.

In answering the question of what that guide and that criterion are in the field of politics, regard is had not only to the positive pronouncements of Holy Writ, but also to the opinions of the Protestant Church and to the leadership of God in the history of nations. The Government is as such God's servant and in principle responsible only to him.

In a social and economic programme drawn up in the summer of 1961 the CHU laid down the following principles:

In society there should first of all be scope and freedom for the individual. Only in this way can man adequately exercise his responsibility to God and to his fellow-men. This means that, whilst the Government bears a responsibility of its own, in those fields where private enterprise can take over the Government's responsibilities this should be preferred. The Government has, for instance, a function in the field of creating and maintaining opportunities for employment. But this means that employment policy, both in its structural and anti-cyclical aspects, should in the first place be designed to improve the employment climate and the possibilities of expansion of private concerns.

Industrialization should be vigorously promoted.

The CHU recognizes the important task of the Statutory Organization of Industry[1]. In the further development of the Statutory Organization of Industry, joint labour management control both in and with regard to the concern should be promoted, everyone's contribution to the enterprise being respected. Understandings and dominant positions, which have a stultifying effect, should be vigorously combated.

Assistance to underdeveloped countries should not only be seen as the provision of loans and grants. If we cooperate in the industrial development of underdeveloped countries our trade policy should be liberal as well, and should admit imports from these countries.

Taxation policy should never conflict with the principle that the taxes levied should be in accordance with the taxpayers' ability to pay.

Three principles underlie the CHU's tax programme:

1. improving the climate for business enterprises;
2. giving the individual more scope by allowing him to retain an adequate portion of his income from normal and overtime work;
3. the abolition of outdated taxes (real estate tax, personal property and rental tax and certain forms of estate, transfer and donation duty endangering the continuance of an enterprise).

The principles and the programme of the CHU are disseminated by, amongst others, two weeklies, 'De Christelijk-Historische Nederlander' and 'Koningin en Vaderland' (Queen and Motherland). Party organizations include the Association of Christian Historical Members of Municipal Councils, the Federation of Christian-Historical Ladies' Groups and the Federation of Christian-Historical Youth Groups, who have their own publications. The Party also has available its own scientific bureau, the Jonkheer A. F. de Savornin Lohman Foundation.

The Christian-Historical Union has more than 40,000 members.

Address: 7, Wassenaarseweg, The Hague.

Communist Party

Planned Government control of industrial life.

Nationalization of banks, mines, key harbour works, large shipping companies and airlines, the iron and steel industry and the shipyards, the Philips works, the textile industry, Unilever and other monopolistic concerns, as well as insurance companies, loan and savings banks.

Organization of industry on the following basis: rejection of capitalistic dictatorship; co-partnership in industry by the workers, settlement of wages and labour conditions by collective labour agreements concluded in free negotiation between workers' and employers' organizations, and no controlling authority for organs not directly or indirectly responsible to the people's representatives.

[1] See page 79., The Statutory Organization of Industry.

Absolute prohibition of dismissal. Reduction of the hours of labour per week with out-of-work pay in case of slackness in trade. Abolition of all measures and methods which cause unemployment, such as 'Taylor' systems and overtime licences in enterprises where unemployment prevails. Combating unemployment in rural districts by reclamation and opening up of land, as well as by the execution of works for electrification, water supply, road construction, etc. Inclusion of *all* unemployed persons in the legal out-of-work pay arrangement and unemployment insurance.

Increase of the pensions and benefits in virtue of social legislation; increase of the amounts paid in virtue of the Emergency Law relating to Old Age Pensions; introduction of a State old age pension worthy of a human being. Extension of the gratis benefits to members of Sick Funds. Lower premiums for the voluntarily insured; no increase of the premiums for those compulsorily insured.

Political Reformed Party

The Political Reformed Party stands for government of the people entirely on the basis of the laws of God as revealed in Holy Writ. According to the Party Constitution, its endeavours are directed not so much towards a majority of the electorate as towards the preservation and elaboration of the principles of that Constitution through its efforts. The government rules by the grace of God, and so it does not and can never derive its authority from the people. According to the Party female suffrage is in conflict with the vocation of woman.

The authorities should protect the rights of labour as much as possible, for both employer and employee. State intervention may never adversely affect private enterprise. The authorities should intervene as little as possible and should keep the number of paid civil servants down to the irreducible minimum.

Address: 123, Frankenslag, The Hague.

Pacifist Socialist Party

Founded in 1956 to form a rallying point for socialists and anti-militarists without political affiliation. It aims at a spiritual and a social and economic renovation.

Spiritual freedom is an important pillar of democracy, and therefore all authoritarian systems are rejected.

Force as a means of solving international disputes and conflict between the various social groups of one and the same people is rejected. Military preparedness is not the right factor for obtaining proper relations between nations. Opposed to armaments and the forming of military blocs.

Rejects political and economic imperialism. Colonialism is one of the most important causes of inequality of prosperity of the various peoples.

Private property will be protected by the Government. Aims at a society in which th means of production, land, houses, transport, the banks and insurance belong t the people.

It is necessary, by joint consultation, to restrain the tendency of the country to divid into religious and political groups. National radio and television service.

Education is the most important means by which the community can develop further and will have to become free of charge in all its aspects.

General health care and medical treatment and care must in their entirety be at th service of all members of the community.

Every member of the community is entitled to housing which satisfies reasonable and moral requirements. The Government must take steps to ensure this.

THE PROVINCES

Eleven provinces

With the exception of the newly reclaimed area in the former Zuyder Zee, the Netherlands is divided into eleven provinces, which vary greatly in size and number of inhabitants. This is a result of historical development. Most of the names of the provinces were already in existence at the time when the first feudal states came into being in what is now known as the Netherlands. The Republic proclaimed in 1579 consisted of seven provinces, viz. Holland, Zeeland, Utrecht, Overyssel, Gelderland, Groningen and Friesland. The Republic also included the region of Drente, a sparsely populated area which was not a full member. There were two other members of the Republic, the 'generalities' in the south of the Netherlands, viz. North Brabant and Limburg, areas which were administered by the central government of the Republic. In 1840 the province of Holland was divided into two provinces, South Holland and North Holland.

In the period of the Republic (the end of the sixteenth to the end of the eighteenth centuries) the seven provinces enjoyed a very great degree of independence. Since 1813 the Netherlands has been a unitary state, of which the provinces, which have all acquired the same status, form part. The Constitution of 1814 regarded the provinces in the main as administrative bodies entirely dependent on the central authorities. The Sovereign was given far-reaching powers and in fact his representatives – known as governors – ruled the provinces in his name, although the Constitution already provided for elected provincial organs. Gradually a change has come about in the relationship between the provinces and the central government. They differed among themselves in nature to such an extent that the need for a greater degree of control of their own affairs increased. The traces of this are to be seen in the 1848 Constitution.

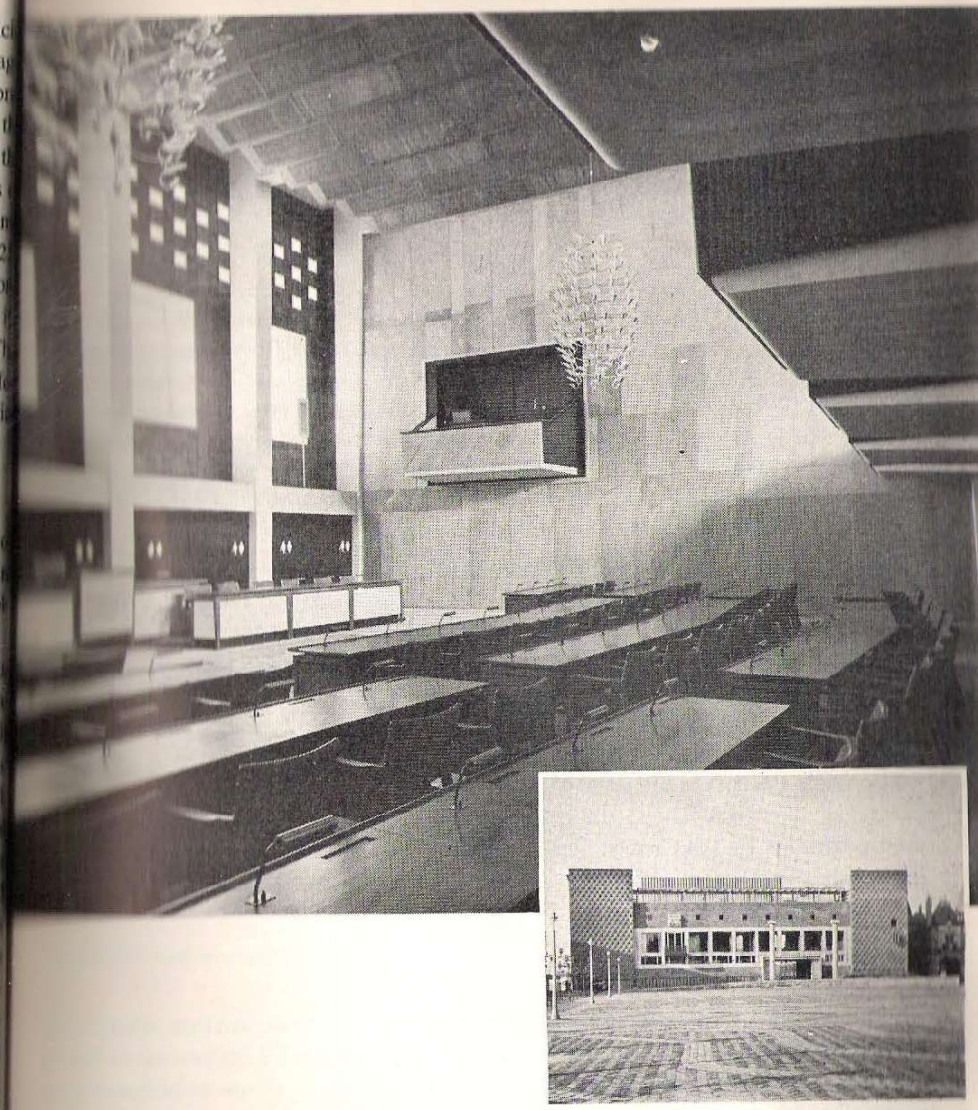
The Provincial States were directly elected in their entirety by those of the province's inhabitants who possessed the vote, the provinces were given budgets of their own and it was laid down that their structure should be regulated by law, so that they should no longer be subject to arbitrary decisions by the central government. Since 1848 the Constitution has been amended on several occasions in a sense favourable to the independence of the provinces. And yet the activities of the provinces have not developed in the same degree as those of local authorities. There is, however, a tendency towards widening the field of operations of the provinces.

In the fourth chapter of the Constitution, the first section is devoted to the composition of the Provincial States and the second section to their powers. This is further

elaborated in the Provincial Government Act. The States represent the provinc population. The members of the States are directly elected by universal suffra The seats are allotted to the various parties in accordance with the system of pr portional representation. Certain functions are incompatible with membership of t Provincial States, such as that of Minister, of Crown Commissioner, of Clerk of t States and of provincial official entrusted with spending or receiving the moneys the province. The members are elected for four years; they all resign at the same ti and are immediately eligible for re-election. They must have reached the age of 2 The number of members depends on the size of the population in the province co cerned. The most densely populated province, South Holland, has 82 members in States; the most sparsely populated, Drente, has 35. The States meet in public. T members receive a travelling and subsistence allowance and are paid a modest for attending meetings of the States, the amount of which is fixed by provinci ordinance.

Deputed States

Under the Constitution the States appoint from amongst their midst a College Deputed States, to which the daily administration and the handling of affairs a entrusted in accordance with regulations laid down by law. The College is responsib for the preparation of what has to be brought forward to the States.
In every province the College consists of six persons. They are appointed for fo years, but may resign at any time. If a member of the College of Deputed States h ceased to possess the confidence of the States, these may dismiss him during h period of office in accordance with a statutory enactment which came into being int 1948. However, normally the members of the College remain in office for the fu four years. They are immediately eligible for re-election. They receive an annu salary and are entitled to a pension. Most of the members of the Deputed Stat occupy other positions as well. The Provincial Government Act gives the Deput States an important function with regard to supervision of local authorities, by whic uniformity of policy in the municipalities is fostered and the making of rash decisio prevented. For instance, decisions by local authorities regarding the disposal of mu nicipal property or other acts under civil law designated by the Municipal Govern ment Act are subject to the approval of the Deputed States. The College of Deputed States can request the Crown to suspend or set aside local ordinances which it con siders to be at variance with the law or with the public interest. Decisions of municipal authorities relating to the introduction, amendment or abolition of local taxes ar sent by the College of Deputed States to the minister concerned, together with statement of the College's opinion.
Furthermore, in numerous laws entrusting certain functions to local authorities th Deputed States are designated as the coordinating and supervising body.



The assembly hall of the Provincial States of Gelderland.
The seat of the Provincial Government, Arnhem.

The Clerk

The secretary of the States is known as the Clerk. He is appointed by the States fro a short list drawn up by the College of Deputed States. The Clerk directs the offic of the province and assists the Crown Commissioner and the Deputed States in every thing concerning the administrative function entrusted to them. All document emanating from the States and the Deputed States are co-signed by him.

Crown Commissioner

In every province there is a Crown Commissioner. The Commissioner is the chairma of the meeting of the Provincial States and that of the Deputed States. In the forme body he has an advisory vote only, in the second one he has an ordinary vote.
We have already met the Crown Commissioner as the man who after 1813 was th central figure of the province on the instructions of the central government. However after 1848 his position was fundamentally changed, in that his function became mor provincial in nature. The position of the Crown Commissioner has sometimes bee compared to a double-faced Janus. On the one hand he is the representative of th central government, and on the other hand the Crown Commissioner is the leadin authority of the province. This dual function emerges, for instance, from the rule laid down by the Crown for his duties. These include a statement that the Commis sioner must yearly visit part of the province, and this is arranged in such a way that in the four years he visits every local authority at least once. In the course of this visit he carefully ascertains any wishes that the population might have, and he reports on his findings to the Deputed States and the Ministry of Internal Affairs. Every year he also sends a report to the latter Ministry containing his views on how the province is being administered. The Commissioner draws up a short list for the appointment of burgomasters by the Crown. The rules also give the Commissioner an executive function in the event of unrest and insurrection when special measures have to be taken to deal with these.

Legislation and government

It is left to the Provincial States to organize and administer the province. They issue the ordinances which they consider necessary in the interests of the province. When laws or statutory instruments demand it, the States cooperate in the implementation thereof. The law further regulates the authority and the power of the States. The provisions of the Constitution mentioned above contain two forms of legislation and government which also exist in the case of local authorities: autonomy (organizing and administering one's own territory) and self-government, sometimes called co-government (obligatory cooperation in the implementation of regulations emanating from higher authority). The law lays down that autonomy is vested in the States

insofar as it is not entrusted to the Deputed States by some other law. And whilst the States are the principal body as regards autonomy, the Provincial Government Act states that co-government is granted to the Deputed States, except in cases where a law or a statutory instrument explicitly requires the cooperation of the States. The Deputed States are not responsible to the States for co-government. The rule is that the decisions of the States and the Deputed States which are at variance with the law or with the public interest can be suspended or set aside by the Crown.
In this connection the Crown Commissioner has special powers.
The Provincial Government Act lays down that the Crown Commissioner is responsible for the implementation of all decisions of the States and the Deputed States. But he does not implement a decision which in his opinion may be suspended or set aside by the Crown because of conflict with the law or with the public interest. He informs the States or the Deputed States of this. If the Crown has not commanded that the decision be suspended or set aside within thirty days, the Commissioner is obliged to implement the decision.

Finance

The budget of provincial revenue and expenditure is drawn up annually by the Deputed States, in accordance with regulations given by statutory instrument. After the budget has been fixed by the States, it must be approved by the Crown before it can come into effect. The Deputed States are obliged to place on the budget the expenditure imposed on a province by law. In the event of refusal this is done by the Crown.
The Deputed States account to the States for provincial revenue and expenditure every financial year. The members of the Deputed States and the Crown Commissioner are personally responsible to the province for expenditure by which the budget is exceeded or which has been placed under an incorrect item in bad faith.

Provincial and municipal finance

The autonomous position of the provinces and municipalities entails that these bodies have at their disposal their own financial resources, which enable them to perform the function allotted to them within the body politic of the Netherlands. Up to the Twenties these resources consisted in the main of the proceeds of their own taxes. However, since the First World War the problem has arisen in the Netherlands, as in many other countries, that the proceeds from these taxes are no longer adequate in view of the great expansion of the functions of both municipality and province, and the great local and regional discrepancies in taxable capacity. As a result of this development local and provincial authorities have become more and more dependent

on the proceeds of taxes levied centrally by the State, which are distributed among those authorities in accordance with criteria other than that of the local or regional taxable capacity.

At present the situation is that the general revenue of the provinces and local authorities consists to a considerable extent of the payments from central funds, known as the province fund and the municipality fund, which are replenished annually by a fixed percentage of the proceeds of State taxes. They also receive large sums of money direct from the Exchequer to meet the costs of special aspects of their work (such as education and police). The proceeds of local or regional taxes are still insignificant. The method by which the amounts paid out from the province fund and the municipality fund are fixed is regulated by law. This also applies in general to the amounts which are received direct from the Exchequer. Considerable attention is paid to fixing the amounts of the payments in such a way that the independent position of local authorities does not suffer from their being made too dependent on financial allotments to be fixed by State bodies.

The total field of operations of the local authorities is much wider than that of the provinces. The total of the ordinary service of the annual budgets of the municipalities now amounts to some fls 2,000 million, as against fls 100 million for the provinces. For the State the sum is fls 6,000 million. The expenditure of local authorities is about half covered by payments from the municipality fund; a quarter is covered by direct contributions from the Exchequer and only one tenth by the proceeds of the municipal taxes. About fifty percent of the general revenue of the provinces is formed by the payments from the province fund; about one third comes from the proceeds of the provincial taxes.

THE MUNICIPALITIES

1,000 municipalities

Constitutionally the Netherlands, like France, has only one local administrative unit. This is known in Dutch as the 'gemeente', i.e. the municipality or local authority. All the cities, towns and villages form part of one of the 1,000 municipalities. Only in one place does the Constitution speak of 'city', namely at the point where it is laid down that the Sovereign takes the oath and is invested within the city of Amsterdam. But this in no way changes the position of Amsterdam as a municipality.

The name town or village has at most a historical or sociological value. The uniform title of municipality, on the other hand, does possess a meaning. For all the municipalities are organized in the same fashion and have the same rights and duties towards the central government, towards the provincial authorities and towards themselves.

By far the greater part of the municipalities date back a very long time. Probably many of them developed out of settlements where agriculture, stockbreeding and/or fishing were practised communally, or which performed a commercial function at a junction of roads, or which arose around a castle or hunting lodge of some feudal lord. Towns began to come into being as far back as Roman days. Noviomagum is now Nijmegen, Ultratrajectem now Utrecht. Mosae Trajectem is called Maastricht today. And from the time of Charlemagne, about 800 A.D., dates the foundation of many a town which even in those days was a flourishing commercial centre. But most towns date from the twelfth and thirteenth centuries and later. In the north of the country a number of towns were not founded until the fifteenth century. Even in our days towns and villages are occasionally created, namely on new land reclaimed from the Zuyder Zee (the Yssel Lake).

Administration of justice

An important part in the creation of municipal bodies was played by the administration of justice in the Middle Ages, which in many regions was performed by the lord or his official, the sheriff, travelling round. When the population increased in numbers, justice was administered by an official stationed in a certain area, who at the same time was charged with the maintenance of public order and safety. One spoke of shrievalties or shires, the limits of which followed those of ecclesiastical boundaries. Later still we find that the administration of justice, with the attendant advantages, was held in fee. The areas were then known as 'manors', and were hereditary. In these manors, too, powers were delegated to a sheriff or a bailiff. In the long run villages

received municipal rights, which entailed among other things that they were permitte
to introduce their own administration of justice partly or wholly. These municip
rights were contained in charters.
Other administrative powers, including those arising out of the administration
justice, were then transferred to the towns or came into being there, and these togeth
formed the function of the municipal magistrate. In many places a representati
body of the citizenry, known as the corporation, came into existence at quite an earl
date. It is an old form of what is called democracy today. However, in many munic
palities the richest and most prominent families gradually gained control of th
citizens' representative body, as a result of which the town became an oligarchy. An
the guilds, too, often achieved a powerful position. In a number of municipalities
body representing the citizens remained in existence for a very long time.
By no means every town followed the same line of development, so that the institutio
of municipal magistrate also varied greatly in content.
The towns played a very considerable part in the history of the Netherlands. Many
of them acquired considerable power and authority and formed centres of culture and
civilization.
The towns had a great influence in the regional bodies which together formed the
Republic.
Owing to the power and the wealth of the cities, the decentralized form of government
was in point of fact the only possible one up to the French Revolution.
After an end had come to the French domination of the Netherlands and the unitary
state had been founded in 1813, the same development could be seen as in the prov-
inces. The task of regulating and laying down the powers to be given to the towns and
the country, by which was understood the villages, was mainly left to the central
government, but this made the maximum allowance for the individual nature of towns
and villages.
In this field, too, lies the great dividing line in 1848, the year in which the institution
of municipal authorities was laid down in the Constitution, with the provision that
further elaboration thereof must be the work of the legislature.
In an administrative respect all local authorities are equal. Since there are enormous
differences in extent and size of population, however, the question has arisen in
recent years as to whether it is still right that all municipalities, large and small, should
be subject to supervision from above to the same extent.
Another important problem is that the necessity of making effective use of the
country's resources occasionally conflicts with the decentralization of legislation and
government, as a result of which the local authorities feel that their independence is
threatened. But fortunately endeavours are constantly being made to find new ways
of satisfying the need for decentralization, which is felt very strongly by the Dutch.

Composition and structure

Every local authority is administered by a Council, a College of Burgomaster and Aldermen, and a burgomaster. Under the Constitution the Council is the head of the municipality. Furthermore, every local authority has a Clerk and a Tax Collector.
The Council is elected for four years by those members of the population of a municipality who have the vote, in the same way as is done for the Second Chamber and the Provincial States (see the chapter on The Suffrage). The number of members on the Council depends on the size of the population. It varies from 7 to 45. The members must be at least 23 years old. Ministers, the Crown Commissioners in the provinces, the members of Deputed States, the Clerk of the States, the Chief Commissioner and the Commissioners of Police, teachers and municipal employees may not be Council members.
The Council meets in public, but if the Council decides to do so, meetings may be held in camera. A decision can also be taken on the points discussed in such a meeting in camera. However, the Municipal Government Act lists a number of topics which may not be discussed and/or voted upon in a private sitting. These are in general matters concerning finance.
The Council members, like members of the States-General and the States, are privileged as regards what they have said in the meetings or have submitted to them in writing.
The Council can set up permanent committees of its members to do preparatory work on matters on which it has to decide. Permanent committees may also assist the College of Burgomaster and Aldermen as regards certain functions connected with the government of the municipality. Members of the Council may receive a small financial allowance for attending meetings if the Council determines accordingly.

The Burgomaster

The burgomaster is appointed by the Crown for a period of six years. It is not essential to his appointment that the person concerned lives in the local authority in question. Often, in fact, a burgomaster from another municipality is appointed. A burgomaster who is a good administrator thus has opportunities of promotion in this way, since he can improve his position by being appointed to a larger municipality. He can be dismissed at any time by the Crown.
The burgomaster is chairman of the Council, unless he is a member of the Council at the same time, a state of affairs which occurs most rarely. He has an advisory vote. He is also chairman of the College of Burgomaster and Aldermen, in which he has a vote. He takes the chair at Council meetings. The burgomaster signs all documents

emanating from the Council or from the College of Burgomaster and Aldermen. He is also responsible for the implementation of their decisions.
He receives an annual salary, the amount of which is fixed by the Crown after the Deputed States have been consulted. He also is granted an expense allowance.
The aldermen are appointed by the Council from amongst its midst. In local authorities with a population of 20,000 and less there are two, in those with a population of 20,000 to 100,000 three or four, and in larger municipalities four, five or six aldermen, at the discretion of the Council. They are elected for four years, but under a provision incorporated in the Municipal Government Act in 1948 the Council is empowered to dismiss them during that period if they have ceased to possess the confidence of the Council. However, this rarely occurs. The aldermen may resign at any time.
The aldermen receive an annual salary, which is fixed by the Deputed States after consulting the Council, and subject to the approval of the Crown. However, they do not receive any special allowance. Aldermen may ultimately receive an old age pension from municipal funds.

College of Burgomaster and Aldermen

The aldermen form with the burgomaster the College of Burgomaster and Aldermen, of which the burgomaster is the chairman. An alderman retains the freedom to vote in the Council against a decision taken by the College.

The Clerk

The Clerk occupies a position in the municipality which corresponds to that of the Clerk in a province. He is appointed, suspended or dismissed by the Council. Before he can be dismissed the reasons for this have to be stated and the dismissal approved by the Deputed States. The Clerk assists the Council, Burgomaster and Aldermen, the burgomaster and the committees of the Council in all matters. He co-signs all the documents emanating from the Council and from Burgomaster and Aldermen. The Clerk receives an annual salary which is fixed by the Deputed States, after consulting the Council, and subject to Royal assent.

Tax Collector

The tax collector is appointed, suspended or dismissed in the same way as the Clerk. His dismissal, too, requires the consent of the Deputed States. Under the Municipal Government Act the tax collector is responsible for the collection of all the income and revenue of the municipality and for all the payments from the municipal treasury. However, the Council may also decide, subject to the approval of the Deputed States, that this should be regulated differently.

15th century Town Hall of Gouda.

The Council

In local authorities, as in the provinces, a distinction is made between autonomy and self-government, also known as co-government. Autonomous powers of the Council include those for the making of by-laws which are required in the interests of public order, morals and health and others regarding the administration of the municipality. Furthermore, with regard to the control and the administration of the municipality, the Council possesses all the powers which the law has not entrusted to the burgomaster or the College of Burgomaster and Aldermen. It emerges from this that the Council is the first body of the municipality, both legislatively and executively. In the by-laws relating to the administration of the municipality, the Council may declare the College of Burgomaster and Aldermen competent to make further regulations with regard to certain subjects designated in that by-law. Furthermore, the Municipal Government Act lists a number of topics on which the Council decides. This is not so much a question of instructions from the legislature as of a description of powers, so that it still falls under autonomy. These subjects include the purchase, exchange, alienation, etc., of municipal property, the renting and leasing thereof, the prevention, restriction and fighting of fire and the restriction of fire hazards, the construction or repair by the municipality of water mains, streets, squares, canals, buildings, works and installations, the putting out to tender of works and supplies and the decision as to whether an action at law will be conducted.

The Council may set penalties for infringement of its by-laws not exceeding two months' imprisonment or a fine of three hundred guilders, insofar as provision is not made for this in a superior regulation (an act, statutory instrument or provincial ordinance). The by-laws imposing penalties must be communicated to the Deputed States and are binding only if they have been properly promulgated.

Executive

The College of Burgomaster and Aldermen forms the municipal executive. Under the Municipal Government Act its work in that respect includes preparing and implementing the decisions of the Council, settling disputes which might occur with regard to that implementation, insofar as that task is not entrusted to others by statutory enactment, and control of revenue and expenditure, insofar as this is not entrusted to others by law.

If permission is given by the Council, the College of Burgomaster and Aldermen may delegate to municipal officials the power to implement a Council decision. Moreover, the Council may lay down that the College of Burgomaster and Aldermen is to exercise the powers of the Council, in accordance with regulations to be made by the Council, with regard to most of the subjects on which the Council votes and decides

under the Municipal Government Act. This is therefore a transfer of power from the Council to the College, to which the Council attaches conditions, however.

The members of the College of Burgomaster and Aldermen are jointly and severally responsible to the Council for the administration of the municipality by the College, and give the Council all the information it desires in this respect.

Co-government

With regard to 'co-government', the Municipal Government Act lays down that when laws, statutory instruments and provincial ordinances and regulations require the cooperation of the municipal authorities, this cooperation is given by the College of Burgomaster and Aldermen, insofar as it is not explicitly demanded of the Council or the burgomaster.

There are scores of laws, statutory instruments and provincial ordinances and regulations which make such co-government obligatory. The degree of freedom which they leave the local authorities varies greatly.

A great problem is what must continue to belong to the autonomous powers of the municipal authorities and what must be transferred to co-government. An important difference between autonomy and co-government is namely that the College of Burgomasters and Aldermen does not have to account to the Council for co-government. However, it is at present being advocated that the College's responsibility should be extended to cover this.

Supervision from above

The system of the unitary state entails that local authorities are subject to supervision from the central government and the provincial authorities. However, this supervision is not arbitrary, but is governed by fixed rules.

In practice senior bodies are very sparing with their supervision of the activities of local authorities.

Under the Municipal Government Act the decisions of the Council and of the College of Burgomaster and Aldermen are communicated to the Deputed States when the latter request them. The Deputed States can therefore make themselves conversant with everything which happens. If the decisions of the Council or of the College of Burgomaster and Aldermen are at variance with the law or with the public interest, they can be suspended or set aside by the Crown, by a decision, stating the reasons for the step taken, to be published in the Staatsblad. Before setting a decision aside the Crown must consult the Council of State.

The Constitution and the Municipal Government Act list a number of decisions which are subject to the approval of the Deputed States. These are decisions with regard to municipal property and in general decisions to which financial consequences are attached. They also include the budget of revenue and expenditure. Furthermore, the

decisions of municipal authorities concerning the introduction, amendment or abol
tion of a local tax require the approval of the Crown. Ordinances to which a penal
is attached also have to be communicated to the Deputed States.
The burgomaster, like the Crown Commissioner, has a special function in supervisio
from above. He does not implement a decision which in his opinion may be suspende
by the Crown as being in conflict with the law or with the public interest. If the Crow
has not ordered that the decision be suspended or set aside within thirty days, he
obliged to implement the decision. This provision illustrates the fact that the burgo
master is not only the senior citizen of the municipality, but also the representativ
of the central government, as is the Crown Commissioner.

Public order

Various laws – relating to civil defence, the police, the fire brigades, and specia
powers of the civil authorities – lay down that they are to be implemented by th
burgomaster.
The burgomaster is in particular responsible for the maintenance of public order in
the municipality. He supervises the theatres, public houses, inns and all buildings and
assemblies which are open to the public, and also public entertainments. He ensures
that no performances which are at variance with public order or morals take place.
This implies, for instance, that the burgomaster can forbid a stage performance or a
meeting which, it is feared, may lead to a disturbance of the peace. Another aspect
of the maintenance of public order is that the burgomaster takes command if fire
breaks out.

Budget

The budget of local revenue and expenditure is annually submitted by the College
of Burgomaster and Aldermen to the Council. To make it simpler to follow, it is
drawn up in accordance with regulations given by the Crown, after consulting the
Deputed States. The Council fixes the budget, but it must be approved by the Deputed
States. If the latter withhold their approval, the Council may appeal to the Crown.
If the local authority refuses to incorporate in the budget the expenditure laid down
by law, this is done by the Deputed States.
The College of Burgomaster and Aldermen renders an account of the municipal
revenue and expenditure every financial year, submitting the statement of accounts
presented to it by the tax collector. The Council provisionally fixes the amount of
revenue and expenditure; the final amount is fixed by the Deputed States. In the event
of bad faith with regard to expenditure incurred, the Burgomaster and Aldermen are
personally responsible to the municipality. The finances are audited by experts in
accordance with rules laid down by the Council.

The introduction, amendment or abolition of local taxes is effected by a decision of the Council, which must be approved by the Crown.

Municipal cooperation and amalgamation

Municipalities are territorial public bodies which have a large number of interests to serve. It will be clear that in a country with a very dense population, where the built-up area of one municipality lies close to that of another, certain interests can be looked after more efficiently by two or more municipalities together than by the municipalities individually. The Joint Organization Act 1950 now forms the legal basis for the possibility of cooperation. For instance, certain powers can be delegated by the collaborating municipalities to an organ to be instituted under the Act. The institution of such organs may be accompanied by the formation of an incorporated body; in that case the latter can be given the power to lay down ordinances. Once it has transferred the powers, the municipality can no longer exercise them itself, unless it withdraws from the joint organization. The law also renders possible cooperation between private associations, etc., and municipalities. However, in that case the municipalities must have received a declaration from the Crown that they are entitled to enter into such cooperation in view of the interests which they plan to serve.
Municipalities may also cooperate under private law. This is done by means of the creation of limited liability companies, foundations, etc. Although the law expresses a preference for cooperation under public law (one reason being the public nature of the supervision which can be exercised) forms of cooperation under private law occur frequently in practice. Municipalities can be compelled to cooperate, but only in the public form. The Joint Organization Act in principle empowers the Provincial States to impose cooperation. The procedure for such a step is surrounded by a large number of guarantees, since the lawmakers are hesitant to intervene in the powers of local authorities. In practice the imposition of a joint organization by virtue of this Act occurs very rarely. A few special laws (the Meat Inspection Act, the Housing Act) lay down special regulations for compulsory cooperation. Their procedure is simpler. Imposition of a common organization using this procedure occurs occasionally.
What has been said above about municipalities applies mutatis mutandis to provinces, which can collaborate both among themselves and with municipalities. For cooperation with the State a separate law is required.

Amalgamation

Under the Constitution the subdivision and the amalgamation of municipalities, the creation of new municipalities and the amendment of the boundaries between munici-

palities must be done by law. The Municipal Government Act describes exactly which procedure must precede the passage of such a law. The most important principle of this procedure is that an important part is allotted to the representative bodies of municipality and province in the preparation of the bill for this law and that because, as mentioned above, rearrangement of municipalities takes place by law, every bill is submitted to the States-General for their opinion.

A proposal for municipal rearrangement can be made by the municipal authorities concerned, by the provincial authorities or by the Crown (the Minister of Internal Affairs). However, as a rule the initiative is taken by the municipal authorities. This is not surprising, since in most cases it is the municipality which is particularly aware that the existing situation needs changing.

Subdivision of municipalities hardly ever occurs. When municipalities are amalgamated the independence of one or more municipalities must always come to an end. This drastic step is not taken unless necessary, in view of the respect in which a municipality with a history sometimes stretching back for hundreds of years is held. It may be necessary if the municipality is unable to perform its function properly, owing to the smallness of its population. Furthermore, the case may arise that the independence of a local authority must be sacrificed in the common interest to allow an adjoining town to expand.

The creation of new municipalities is confined in general to areas reclaimed from the sea.

Amendment of the boundaries between municipalities takes place regularly. However much the historically developed boundaries of the municipalities are respected, the existing boundaries may in certain cases give rise to situations which demand improvement. For instance, adjustment of the boundaries may make it possible for a municipality which has too small an area to begin healthy development; for a small settlement to be added to the municipality upon which its inhabitants are dependent and where they feel at home in any case; for an area of a specific nature (e.g. an industrial centre or a recreational area) to be placed within a municipality which can better protect the interests of that area as a result of its location or structure.

Special administrative provisions

The community of interests between various municipalities may be of such a nature that – although there are insufficient reasons for amalgamation to form one municipality – the Joint Organization Act does not offer a satisfactory solution. There is no general law which makes it possible to set up a special administrative body for such cases. However, in recent years incidental plans and bills for statutory provisions with regard to the administration of certain conurbations have been prepared.

The first such legal provisions were drawn up for the conurbation at the mouth of the river Y, formed by the municipalities of Velsen, Beverwijk and Heemskerk, with 60,000, 33,000 and 7,000 inhabitants respectively. Velsen forms the industrial centre, having within its boundaries a large steel works, for instance. For the steadily growing working population the creation of a 'steel town' is envisaged on the territory of the two other municipalities, which for that purpose would have to work most closely together with each other and with Velsen. As a basis for voluntary collaboration was lacking, owing to contrasts between the three municipalities, the bill provided for the creation of a supramunicipal blanket organization with coordinative powers, which would bear a special responsibility for a balanced development of the area into the residential and working district of the Y mouth conurbation. The oneness of this area would find expression in the direct election of the members of the organization by the enfranchised residents of the three municipalities, who would form one constituency for that purpose.

This bill was submitted to the Second Chamber in 1956, but it was not given a very favourable reception. In particular the proposed powers of the provincial authorities, by means of which they could oblige the municipal authorities to follow the policy laid down by the supramunicipal organization, were considered to be unacceptable. Finally the bill was withdrawn at the end of 1959. It is now being considered whether amalgamation of two of the municipalities (Beverwijk and Heemskerk) may offer a solution for the administrative problem.

In the Rotterdam conurbation it is in particular the greatly increasing port business of the main municipality which is causing more and more municipalities to come within Rotterdam's economic sphere of influence. This development naturally means that the interests of these municipalities are becoming increasingly common, so that the need for a more coordinated policy is making itself felt here too, particularly with regard to physical planning, industry, housing and recreation. Attempts by representatives of 27 municipal authorities in this area to accept in an administrative respect the consequences of this process of economic integration have not had any results.

Even whilst these intermunicipal consultations were going on, the Minister of Internal Affairs instituted a committee to advise him on the administrative provisions to be made for the area in question. In its report of February 1960 the committee summarized its findings in a number of conclusions. Besides a recommendation that certain alterations be made to the boundaries of Rotterdam, it proposed the creation of a supramunicipal administrative body with a fourfold function, viz.: 1. a planning function, consisting of the preparation of regional plans for the area in question; 2. a coordinative function in the sense that the body lays down directives with regard to a number of subjects to be listed in the law, and on the basis thereof can give binding instructions to the municipal authorities concerned, the implementation of which will continue to be vested in the municipal authorities; 3. an executive function, in which

the body will itself be able to exercise municipal powers on the instructions of the municipal authorities; 4. an advisory function with regard to all matters affecting the interests of the area concerned. According to the committee the executive committee of this body should consist of 81 members, 54 (two thirds) of whom should be directly elected by the residents of the area and 27 (one third) of whom should be appointed by the municipal councils concerned from among their midst.

The Government is now preparing a bill to provide for the institution of a new administrative body for this area on the basis of the committee's report.

For the conurbation of The Hague the problem lies not so much in economic expansion as in the acute shortage of space facing The Hague and the municipalities adjoining it. The Colleges of Burgomasters and Alderman of the five municipalities which are regarded as forming the Hague conurbation approached the provincial authorities in August 1957 in an address in which the institution of a blanket administrative district for the conurbation is advocated. The principal task of this district would have to be the founding of a completely new town (Wilsveen) on the territory of two of the municipalities adjoining the conurbation, Nootdorp and Zoetermeer. For that purpose the latter two municipalities would also have to be included in the district. The new town would have to serve to relieve the pressure of population in the Hague conurbation. The territory intended for this town would have to form part of the district and in due course a separate municipality within the district.

The basis for the creation of the new town would have to be laid by a district planning scheme to be drawn up by the district authorities, the members of which would be elected directly by the population of the conurbation. Moreover, this body would have to be given coordinative powers with regard to a number of joint municipal interests.

The Government has given its consent to the proposal to set up a supramunicipal district for the Hague conurbation. It is, however, of the opinion that the decision as to where the new town is to be built must not be taken by the central legislature, but by the authorities of the district to be set up who will represent the population of all the municipalities concerned. A bill to this effect is in preparation.

The Netherlands Union of Local Authorities

Under the Constitution all municipalities are equal and independent of one another. In practice, of course, there is a need for cooperation and joint consultation. This need was met in 1912 by a number of municipalities by the foundation of the Netherlands Union of Local Authorities, which gradually expanded and to which since 1950 all municipalities belong. It is a private association which in the main operates in the public field. All member-municipalities are represented in the General Assembly,

which meets annually. A *Union Council* deals with internal matters on behalf of the General Assembly. The daily administration is done by the *Secretariat* of the Union, in charge of which is a Chief Director, assisted by a Director and three Assistant Directors.

Activities of the Union

The activities of the Union may be divided into two groups, the work for the members collectively and the work for the members individually.

The work for the *members jointly* includes closely following the activities of Parliament and the Government with a view to defending and further extending municipal autonomy. It has become the custom for the Government to request the opinion of the Union concerning bills which affect the interests of local authorities before these bills are submitted to Parliament. In such a case an inquiry is mostly instituted among the members or a hearing organized, at which views are exchanged on such a bill before the answer to the Government is drafted.

When the Union's advice is not followed by the Government, petitions are sent to Parliament and the attention of individual members of Parliament of all parties is drawn to the wishes of the local authorities.

Petitions are also often addressed to the Government to exert influence on the implementation of legal measures.

Much of the work of the Union is done in committee; the *permanent committees* of the Union – for instance those for housing and reconstruction, for education, for public health, for social affairs, for police matters, etc. – play a very important part in the Union's activities. Another important aspect of the Union's work is the participation of representatives of the Union in *committees outside the Union* – more than a hundred, in fact, some of a private nature, some of a public character.

Besides the General Assembly, the Union holds an annual Congress, which is aimed more at the outside world. Every year a certain subject forms the theme of the Congress: in 1955 'Municipal reorganization and slum clearance', in 1954 'Local authorities and industrialization'. Topics in past years have been 'Housing', 'Municipal taxes' and 'The city and the small municipality'.

Another aspect of the work for all the members jointly is the publication of a number of periodicals and of books and brochures, together with a loose-leaf series of 'Official Announcements' on behalf of local authorities.

Through its work for the member-municipalities *individually* the Union helps its members in their daily administration. A large number of recommendations are given on all kinds of subjects (in 1954 1,127 in all); books, periodicals and other sources of information (municipal by-laws, etc.) are loaned out; members of the staff of the Secretariat argue the cause of individual municipalities before ministries or administrative bodies.

Special institutions and bureaus or departments

Besides the Union Secretariat there are a number of institutions and bureaus with specialized functions, which are in some way linked up with the Union or cooperate with it. There are for example the organization for central negotiations with employees' associations, the Central Bureau for Audits and Financial Advice, the Bureau for Modern Staff Administration, the Central Purchasing Office, the Technical Advice Bureau and the Netherlands Bank for Local Authorities (in which the State – almost 50% – and a large number of local authorities are shareholders and which furnishes credits to local authorities and institutions). In addition there is an Institute for Administrative Sciences.

The *International Union of Local Authorities* has had its secretariat at the offices of the Union since 1949. The Secretary-General is Dr N. Arkema, the assistant Secretary-General Miss H. J. D. Revers, who are the Chief Director and Assistant Director respectively of the Union.

STATUTORY ORGANIZATION OF INDUSTRY

In the years between the First and Second World Wars the view gained ground in the Netherlands that, as a result of technical and economic developments, the need had arisen for a new form of organization of social and economic life. This was based on the belief that the system of unlimited freedom in economic life, seen from a social and economic angle, was not yielding the best results. It was thought that, by means of a new organization of economic life, it might be possible to arrive at a combination of freedom (coupled with restraint of economic self-responsibility and economic joint responsibility) of private enterprise and a certain measure of government control in the social and economic field. In this connection the opinion predominated that the direct guiding task of the Government should be restricted as much as possible, and that sufficient room should be left for the regulation of certain details of economic life by those engaged in industry themselves. Free competition should remain one of the foundations of such a changed society.

With this end in view a statutory regulation was worked out for the organization of industry under public law, by which the foundations could be laid for conferring limited powers on organized industry. The Industrial Organization Act, which became operative on 15 February, 1950, provides the framework within which an efficient organization of industry must be brought about.

It is obvious that such a change in the structure of society cannot be effected by simply adopting a law and promulgating regulations. This new organization of industrial life must grow through the forces which are active in economic and social life itself. The Act therefore proceeds on the principle that the initiative for creating public bodies, organizations which are vested with powers under public law, must in the first instance come from industry. The Government is assigned a regulating and controlling task.

The Industrial Organization Act can be divided into two main parts.

In the first it institutes a central statutory industrial body, and determines the organization and *competences* of that body, namely the Social and Economic Council.

In addition to its very important function as an advisory organ to the Government in a general sense, the task of this body is to promote the activity of trade and industry in the interests of the Dutch, as well as to safeguard the interests of trade and industry and of those who take part in it. This body, whether asked to do so or not, has to advise the Government on the establishment of statutory organizations and to act as an intermediary between the Government and those concerned with the preparation of those organizations. The Council consists of 30 to 45 members, at least two thirds of whom are appointed by the organizations representing workers

and employers, who are represented in equal numbers. Organizations representing large employers, tradespeople, the professional classes, farmers and workers, with various religious or political affiliations, have all been granted the right to appoint members to the Social and Economic Council, in numbers corresponding to their strength. The other members and the Chairman are appointed by the Crown. The members vote without instructions from those they represent or without consulting them. For the maintenance of contact between the Council and the Government it is laid down that the Ministers or their officers may attend the meetings. Within certain limits the Council has the power to make regulations.

As regards its second main part, the Industrial Organization Act is a 'skeleton act'. It does not itself institute any statutory industrial organizations for the various branches of industry, but it determines the conditions on which this may be done, as well as the internal organization of such bodies; it moreover determines the amount of power to make regulations which they *can* be granted and the other competences which they have in any case, as well as the supervision by higher authority to which they are submitted.

The Act distinguishes between what are known as horizontal and vertical organizations, called (General) Industrial Boards and Commodity Boards respectively. The General Industrial Boards and the Industrial Boards may be set up for enterprises performing equal or related economic functions in industry. The Commodity Boards relate to two or more groups of enterprises performing different economic functions in respect of certain commodities or groups of commodities. The establishment of the various statutory industrial organizations – which takes place as a rule on the initiative of industry itself – and the definition of their powers are effected by separate Acts or Royal Decrees.

Vertical bodies have always to be instituted by a particular Act, horizontal ones can mostly be instituted by Royal Decree.

Representatives of employers' and workers' organizations sit in equal numbers on these General Industrial Boards, each consisting of at least six members. They vote without consulting the organizations which have elected them.

The committees or the organizations may lay down regulations within the framework of their task, which is to promote businesses which serve the Dutch people and to safeguard the common interests of the enterprises concerned and of those concerned in them. It is of course necessary to fix the bounds of these powers as accurately as possible. The Industrial Organization Act contains a list of subjects which may be regulated by these organs.

The most important of these are:

production, sale and use of goods and the rendering of services;

research in the social, economic and technical fields;

mechanization and rationalization of enterprises;

normalization of products and the machinery of production;

competition, wages and other working conditions;

finding employment;

vocational training, teaching new trades and reskilling;

providing more employment;

prevention of unemployment;

the establishment of funds, etc. in the interests of fellow-workers;

preventing scarcity of labour and making arrangements to overcome it.

They may also usually regulate:

registration of concerns falling under the organization concerned and of the persons employed by them;

obtaining data for the fulfilment of their task, as well as the necessary inspection of books and documents.

This does not, however, mean that an established industrial organization may in all cases make regulations in all the fields mentioned above. The Act or Decree of establishment indicates the subjects regarding which they may lay down regulations. The granting to statutory industrial organizations of powers to make regulations is a matter of very tactful management: great prudence is observed regarding it. This is a matter which has still to ripen and the industrial partners who handle public power in statutory industrial organizations must achieve the necessary maturity gradually as time goes by.

There are also a number of safety provisions which serve to prevent the decisions taken coming into conflict with the laws of the land or with the common interest. In this connection one important provision is that a two-thirds majority of the committee is required for the passing of a regulation; moreover, its regulations are as a rule subject to approval from higher authority, whereas the subsequent annulment of all regulations by the Crown is possible on the ground of their being in conflict with the law or the common interest.

In the above the point was the 'autonomous competence to lay down regulations'. This really *is* a *competence:* the committee of the industrial organization itself decides whether and to what extent it wishes to make use of it. The Government cannot use any positive compulsion here; it can only see to it that the competence is used in the right way.

The danger of excessive control on the part of *political* authorities therefore does not exist. Excessive control on the part of the industrial authorities can be counteracted on the one hand through a careful granting of competences, as mentioned above, on the other hand by means of the controlling powers of the political authorities.

Finally it should be mentioned that the political authority can also entrust the industrial organizations with tasks of self-government. These may, for instance, be

required to assist in the implementation of certain laws enacted by the Government of the country. The Government is naturally highly dependent on the loyal collaboration of the industrial organizations.

Up to the present, fifteen vertical organizations, i.e. Commodity Boards, have come into being, which between them include nearly all enterprises in the field of agriculture, fisheries and related industries.

At present there are thirty-one Industrial Boards; the majority of them have been set up for branches of wholesale trade in agricultural products and for branches of crafts or of the retail trade. Besides these there are six Industrial Boards for branches of industry among which the Industrial Board for the coal-mining industry is the most important, together with the Industrial Boards for agriculture, forestry, fisheries and hotels, cafés and restaurants.

Finally, there are two General Industrial Boards, one of which includes the whole of the retail trade and the other the greater part of the crafts.

CONTROL OF THE WATER

Introduction

Holland is a flat and low-lying country. To the west and the north lies the sea, kept back from the land by rows of dunes. Numerous rivers intersect the country. With regard to commerce and trade with foreign countries and within Holland itself this is very convenient, but the other side of the picture is that Holland must be protected against the water. This is done along the coast by keeping the dunes in good order and, where necessary, by using massive sea-walls. River water is controlled by building dykes which prevent the water from flowing over the land and by regulating the water-level behind these dykes by such means as pumping stations and sluices. There are about 1,170 miles of dunes and dykes in Holland.

A second objective of the struggle against the water is to increase the area of land at the expense of the water by draining marshy ground and by constructing dykes in areas covered by water, after which the water can be pumped out.

The third objective is to prevent the salt sea-water entering through the open connections with the sea in such a way that the land becomes salt and so useless for agriculture and stockbreeding.

Up to about the year 1000 the inhabitants of what is now Holland could do little more than avoid the water and take primitive protective measures, such as building their houses and farms on artificial hills, known as mounds.

After the year 1000 dykes were built and stretches of water and marshes drained in a more systematic fashion. It is estimated that from the thirteenth century to the present day 1,425,000 acres of land have been reclaimed.

In the fifteenth century man gained a mechanical aid in the windmills, which were steadily developed, making it possible to lower the water-level to below that of the surrounding outside waters. The country was gradually covered with thousands of windmills, several hundred of which still remain. At the beginning of the seventeenth century sufficient experience had been gained with the windmills to allow of the draining of extensive lakes in the province of North Holland after dykes had been built around them. More than 200 years later, in 1840, the invention of the steam engine made it possible to drain the Haarlem Lake, an enormous stretch of water lying between Haarlem, Amsterdam and Leyden. This work took twelve years and a total of 46,500 acres of fertile land was reclaimed.

The Zuyder Zee

Technology continued to develop and at the beginning of this century it became

possible to tackle a much greater project, the reclamation of the Zuyder Zee, an inland sea with an area of more than 1,350 square miles, which separated the west and the north of the country. In 1923 a start was made with the construction of a dyke which closed off the inland sea. In 1932 this dyke, which is 27 miles in length, was finished. What was once the Zuyder Zee was now called the Yssel Lake, after the river emptying into it. Simultaneously with the construction of the enclosing dyke a start was made with the draining of the first Zuyder Zee polder, the Wieringen Lake Polder, which has an area of 50,000 acres. This was followed by the North-East Polder, which is 119,000 acres in size. A third polder, Eastern Flevoland, with an area of 133,000 acres is the latest acquisition. A further two polders are still to come, the Markerwaard and Southern Flevoland Polders with areas of 133,000 and 110,000 acres respectively. It is estimated that the whole project will be completed by about 1980. Holland will then have acquired 546,000 acres, i.e. about 10% of its agricultural land, in this way, and it is estimated that this land will provide a good living for about 250,000 persons. 310,000 acres of the Yssel Lake, situated in the middle, will not be drained, but will serve as a fresh water reservoir for the surrounding countryside.

As a result of the enclosure of the Zuyder Zee the coastline which had to be protected against the sea by sea-walls has been shortened by 185 miles. The total cost of the project is put at nearly fls 3,000,000,000. Of this amount, the sum of about 825,000,000 guilders has already been spent.

Work on the Zuyder Zee is still in full swing, but another project of much greater scope has already begun, viz. the enclosure of the estuaries in the south-west, which again has been made possible by the progress of technology and the growth in human knowledge.

The Delta Plan

In 1952 the engineers of the Ministry of Transport were instructed to make detailed plans for the prevention of further salting-up of the soil, the acquisition of fresh water reservoirs and the reclamation of land.

In February 1953 a storm flood caused great damage to the dykes in the area in question. More than 375,000 acres ware flooded with salt or brackish water. In these floods, which are unique in the history of Holland, 1,800 persons lost their lives. Needless to say, this disaster had tremendous repercussions in the country and plans for enclosing the estuaries acquired great urgency. The Government set up a commission, known as the Delta Commission. After one year this Commission published a report to the effect that it was technically possible to close off the estuaries. However, the difficulties are much greater than in the case of the Zuyder Zee, since the

inlets are deeper and the currents much stronger. The movement of ebb and flood is namely twice as strong.

It is estimated that this work will take about 25 years. The cost is put at more than 2.5 thousand million guilders. At the end of 1956 the first work under this Delta Plan was put out to tender. It consisted of the making of an excavation in which to build a group of sluices in the future dam across the Haringvliet, near Hellevoetsluis.

Holland has not kept its knowledge of and experience in the battle against the water to itself. Throughout the world Dutch contractors, engineers and workers are busy on hydraulic works, building harbours, regulating the flow of rivers and draining swamps, etc. The Dutch are very proud of this, as can be seen from the great interest which they display in such matters.

Legal organization of water control

The struggle against the water has naturally led to an extensive organization regulated by law. Work in this field is done by drainage districts, provinces and the central authorities, whilst in a number of cases private bodies and municipalities are also active in this respect.

Water control is the task of a body which is known in Dutch as Waterstaat. This is the blanket name for an organization which is concerned not only with everything connected with water, such as rivers, canals, dykes, etc., but also with the construction and maintenance of roads, bridges, viaducts and similar public works. In this section, however, we shall be concerned solely with Waterstaat's function in the field of water control.

An important provision in this respect is that the Crown must exercise supreme control over everything connected with waterworks, without distinction, and irrespective of whether the costs are paid from the Exchequer or otherwise. The Constitution lays down that the administration of waterworks, including supreme control and supervision, must be regulated by law, and specifically with due observance of certain provisions which are described more fully in the subsequent articles of the Constitution, and that the Provincial States will be charged with the direct supervision of all waterworks and drainage districts, unless this supervision has been entrusted to others by law. A drainage district is a public corporation which is mostly charged with furthering the interests of a particular area in the field of water control and which possesses regulatory powers. It is set up and regulated by the Provincial States. However, the relevant decrees of the Provincial States require Royal assent.

In general it is impossible to state what kind of water control works are maintained and administered by various bodies. This is a question of expediency, and sometimes one of historical development, too. There are no hard and fast rules. But it can be

stated that the administration and the maintenance of the large rivers and canals are mostly entrusted to the central authorities, that of most ports to the local authorities concerned, the administration of motorways to the State, that of trunk roads to the provinces and that of local roads to the drainage district or municipality. However, there are numerous exceptions to this. As far as water control is concerned, this is often placed in the hands of the drainage districts in the first instance, though this too is subject to many exceptions.

The principal laws in the field of waterworks are the Waterworks Act of 1900, which in the main contains general rules with regard to supervision and supreme control, the By-Laws Act of 1895 and the Legal Powers Act of 1902, which grants certain powers to drainage boards, and regulates these powers.

One of the provisions of the Waterworks Act of 1900 is that a State Waterworks Service (Waterstaat) shall be instituted by general administrative order. The Act also lays down that a Waterworks Council is to be set up. This must consist of at most eight members appointed by the Crown to advise the Minister of Transport and Waterstaat. The Act further regulates the powers of the sovereign authority and, in this connection, the matter of appeals against decisions by the authorities. The Act further lays down rules for the prevention and restriction of floods. In the event of immediate or impending danger from high water, floating ice or ice formation extra-ordinary control is instituted by the Minister of Transport and Waterstaat for a number of rivers. In that case the Minister determines which officials of the State Waterstaat shall be charged with that control and what measures should be taken by the drainage boards. In the event, too, of dykes breaking and floods the law grants special powers to the supervisory bodies or those exercising supreme control, under which the drainage boards are obliged to take the measures adjudged necessary.

Under the By-Laws Act the drainage boards can issue ordinances in the internal interest of those institutions. The ordinances may not relate to points regulated by a law, general administrative order or provincial ordinance. Imprisonment of not more than six days or a fine not exceeding fifty guilders can be imposed for offences against the by-laws or ordinances. An interesting point is that the drainage boards can arrive at a compromise with the offender. By-laws require the approval of the Deputed States of the province concerned.

Under the Legal Powers Act the drainage boards are empowered, subject to a number of restrictions, to take all the measures which they consider necessary in the event of immediate or impending danger.

The drainage district is one of the oldest forms of legal corporation in the Netherlands. It covers a certain area, though there are districts for which this is not the case. Although there is considerable variety, there is nevertheless a certain uniformity, so that in practically all provinces one finds general or basic regulations governing the main aspects of the organization of the drainage districts. Each drainage district is

governed by a board, which is elected by those owning land within the district or having a corporeal right over that land. These are known as the landholders. In the case of the drainage districts which are concerned with sea defences or those which are concerned with the defences of the great rivers or the Yssel Lake, the board is appointed by the Crown. An important principle of the drainage districts in the Netherlands is that those who have an interest in their work are themselves also directly or indirectly concerned in that work.

In many instances plural voting occurs in the drainage districts, the number of votes being dependent on the area of the land. The drainage district supplements its income by taxing the landholders in proportion to the interest which the owner has in the waterworks and to the area of land held. Sometimes the value of the buildings, structures and erections on that land is also taken into account. When the financial burdens are too great, a subsidy may be requested from the State or the province.

Judges are independent of the Government and of Parliament. They are appointed for life, although the Constitution lays down that they are to be retired on their seventieth birthday. Their emoluments are fixed by law, and thus cannot be revised by Royal Decree, as is the case with the salaries of most of the other civil servants.

Another guarantee of judicial independence is the constitutional rule that all disputes of civil law must be adjudicated upon by the judges; neither the lawmakers nor the authorities may therefore call upon the services of any judge other than the ordinary one for certain civil cases. The Netherlands Constitution does not contain a similar rule for criminal law; it is, however, widely assumed that in this field, too, only the ordinary judge can be competent.

The administration of justice is entrusted to professional judges; trial by jury is unknown in the Netherlands. It is, however, permitted – and in some cases applied in practice – that the one or more professional judges are aided by laymen, whose task it is to reinforce the professional skill of the judges. For instance, the adjudication of disputes relating to leases is entrusted to special chambers of the magistrate's courts, consisting of the magistrate as chairman, one member who is a landlord and one member who is a tenant. These special members are not appointed ad hoc, as are members of a jury, for one case, but are appointed for a period of four years.

Laymen may sit in judgment only in civil cases and in the dispensation of administrative justice. Only professional judges are competent in criminal cases. With regard to the latter, great value is attached to judicial specialization. There are specialized judges for petty offences (police court magistrates), for cases involving juveniles and for economic cases of a criminal nature. A separate arrangement covers all punishable offences committed by members of the armed forces. They are tried solely by military courts, which in peacetime consist of professional judges and military members.

Besides the dispensation of civil and criminal justice there is that of administrative justice. As distinct from the regulation applicable to the first two categories, there is no general rule that legal disputes in administrative matters must be adjudicated upon by the courts. The Constitution merely states that administrative judges *may* be instituted to try such disputes.

Various attempts have been made to arrive at *universal* dispensation of administrative justice. However, the proposals made in the past have failed because of practical and theoretical drawbacks. Nevertheless, dispensation of administrative justice has come into being in a number of special fields. An appeal can be made to the courts against decisions in fulfilment of the tax laws, the social insurance laws, the regulations for

civil servants and many regulations in the economic and social sphere. A proposal has been laid down by the States-General for universal dispensation of administrative justice for those fields of administrative law in which one of the above administrative courts is not competent. The proposal is to the effect that this universal dispensation of justice be entrusted to the Council of State.

It must be added that under Netherlands law the authorities, like every citizen, are obliged in their actions 'to exercise the care which social intercourse requires'. If they fail to do so, an action for tort may be instituted against them in the ordinary civil courts.

To round off the picture reference must be made to the considerable proportions assumed by *arbitration* in the Netherlands. This has to be accepted voluntarily; many private bodies have now laid down in their articles of association that the members are to submit to arbitration, for instance the Stock Exchange Association, the associations of dealers in cereals, subtropical fruit and bulbs, associations of contractors, architects, printing firms, etc.

The ordinary courts

The ordinary judicature consists of 62 magistrate's courts, 19 district courts, 5 courts of appeal and the Supreme Court.

The magistrate's courts are competent to try all ordinary civil cases up to a sum of fls 500, the disputes relating to leases (see above), disputes regarding the fixing of rents and rent control and all disputes concerning labour contracts. The small magistrate's courts have one magistrate, the larger ones more; for instance, there are seven in Amsterdam. The magistrate deals with those criminal cases which, under the Netherlands system, are considered petty offences (Netherlands criminal law does not recognize the division, common to many countries, into three categories: felonies, misdemeanours and petty offences, but a division into two categories, viz. criminal offences and petty offences; criminal offences cover both felonies and misdemeanours).

The district courts consist of a number of chambers, some with three members, some with one. They are competent in the first instance in all civil cases which are not left to the magistrate's courts, in all divorce cases and in all criminal cases which constitute criminal offences. The courts adjudicate on appeals against the judgments of the magistrate's courts. The number of members varies from 34 (Amsterdam) to 6.

The president of the court has a separate function. He can give immediate decisions in civil cases in summary procedure and when so doing he can forbid certain actions from being carried out, under penalty of a daily fine until such actions cease. In recent years more and more use has been made of this power.

The five courts of appeal decide in the first instance on tax matters only. For the rest they consider appeals against the judgments of the district courts. They are

divided into chambers, each of which consists of three justices. The number of members varies from 24 (Amsterdam) to 9 (Leeuwarden).

The Netherlands legal system makes a distinction between judgment on facts and judgment on points of law. Only the court of first instance (magistrate's court or district court) and an appeal court (district court or court of appeal) are entitled to judge facts. The interpretation of rules of law in the last instance is the function of the Supreme Court of the Netherlands, which has been given by the Constitution the task of guaranteeing the uniformity of the law. The Supreme Court is divided into chambers, which consist of five members. The total number of members is 17. The Supreme Court therefore has three chambers, one for civil, one for criminal and one for tax cases. Netherlands law and legal practice do not recognize the possibility of the court deciding in joint session, as occurs in other countries.

The judicial powers of the Supreme Court of the Netherlands regarding legal matters in Surinam or the Netherlands Antilles are regulated by a statute of the Kingdom.

If the Government of the country concerned so requests, this statute of the Kingdom makes it possible for a member, an extraordinary or advisory member to be added to the Court.

So far no use has been made of this possibility. A draft statute of the Kingdom concerning the Netherlands Antilles is being discussed by the States-General.

The Public Prosecutor's Office

In civil cases it is up to the interested parties to approach the courts, and this is also so in administrative cases.

In criminal cases only the Public Prosecutor's Office can institute proceedings. A private person, a wronged or other interested party cannot compel the Public Prosecutor's Office to bring a criminal case, but he may petition a court of appeal to order the Public Prosecutor's Office to bring the case before the court.

The Public Prosecutor's Office comes under the Minister of Justice. Only the Attorney-General and the Solicitors-General at the Supreme Court are appointed for life; the remaining members have the same status as other civil servants. However, since they are attached to a special court, they enjoy a great degree of independence in practice. It is a rule of constitutional law that, except for very special cases, the Minister of Justice is not at liberty to order the Public Prosecutor's Office not to prosecute a criminal offence. He may, however, order the Public Prosecutor's Office to submit to the judgment of the court a case which the Office did not wish to bring.

The Public Prosecutor's Office consists firstly of the Attorney-General and the Solicitors-General attached to the Supreme Court, who assist him, and then of the Public Prosecutors and Deputy Prosecutors attached to the courts of appeal, the district courts and the magistrate's courts.

The Public Prosecutor's Office represents the State. It is not obliged to prosecute every criminal case of which it takes cognizance. (Netherlands law believes in the principle of expediency and not in the principle of legality applicable in Switzerland and Germany, for instance.)
When criminal proceedings are instituted the injured party can in some cases join in the action but not, as in many other countries, in order to contribute to the evidence (this is solely the task of the Public Prosecutor's Office). The only purpose of this step is to ask the court to grant him damages. The possibilities are very limited; in criminal cases the court cannot award damages exceeding fls 100 (magistrate's court) or fls 300 (district court). If higher damages are sought, a civil action must be instituted.

Summary

The Netherlands legal system is based on the French one. Judges are independent and are appointed for life; civil and criminal cases may be tried only before a judge. However, the Netherlands does not recognize trial by jury or universal dispensation of administrative justice. In criminal cases great attention is paid to judicial specialization. The injured party in criminal cases has only very limited possibilities of joining in the action to obtain damages. The institution of proceedings is purely a matter for the State, although there is the possibility of the court's decision being amended at the request of the interested parties.

THE POLICE

The organization of the Netherlands Police is regulated by law, the Police Act of 1957. On the basis of this Act the civil police may be divided into State Police and municipal police.
The internal organization of the Corps of State Police and of the various municipal police forces is laid down by the Minister of Justice and the burgomaster concerned respectively.

The Corps of State Police

The Corps of State Police is commanded and administered by the Minister of Justice; for the actual exercise of his powers, the Minister entrusts them to an Inspector-General of the State Police, who at the same time is the head of the Corps. The Inspector-General is assisted by 5 regional inspectors.
The Corps has a strength of about 6,000 and serves mainly in the countryside in 873 local authorities with a total population of about 4 million. The commanding officers of the Corps are appointed by the Crown, the other ranks by the Inspector-General. For the internal organization of the Corps of State Police the Netherlands is divided into districts (23 in all), and each district into groups (327 in all); some parts are subdivided into sections, the majority of the groups are divided into posts. The respective heads, forming the chain of command, are District Commandant, Group Commandant, Post Commandant and Section Commandant. A post may consist of one policeman (the Post Commandant) or several (the Post Commandant and subordinates). A Regional Inspector is an officer with the rank of Commanding Officer 1st or 2nd class, a District Commandant an officer with the rank of Commanding Officer 2nd or 3rd class; a Group Commandant is an official with the rank of warrant officer or sergeant-major, and a Post Commandant and a Section Commandant an official with the rank of sergeant-major or sergeant.
Police duties on the major inland waters, in the ports (with the exception of Rotterdam) and the estuaries are performed by the Water Police, who form part of the Corps of State Police. The area under their control is subdivided into districts (4), groups (18) and posts.
The Corps finally has an Aviation Service, which is responsible for police duties in the field of civil aviation.

The municipal police forces

In 121 local authorities of predominately urban character (most of them have more

than 20,000 inhabitants), and together numbering about 7 million inhabitants, police duties are performed by municipal police forces.
The strength of the municipal police, totalling some 13,800, is fixed separately for each municipality by the Minister of Internal Affairs.
The burgomaster is head of the municipal police force; depending on the size of the force concerned, routine command is in the hands of a (Chief) Commissioner or a (Chief) Inspector. The (Chief) Commissioners are appointed by the Crown, after the burgomaster has been consulted; the remaining personnel are appointed by the burgomaster.

The maintenance of public order

The burgomaster is charged with maintaining public peace and order; for the implementation of this function the police serving in his municipality, irrespective of whether they are State or municipal police, are at his orders. If, in order to maintain public peace and order, the local police require assistance, this is usually given by the State police, even in municipalities with municipal police, and if necessary or in case of emergency by military units.
The Crown Commissioner in the province concerned, who is responsible for the maintenance of public peace and order in his area, ensures that peace and order are properly maintained.

Judicial function

On behalf of their judicial function, which mainly consists of detecting and investigating punishable offences, the police follow the instructions of the legal authorities. Policy regarding the investigation of punishable offences is in the hands of the Minister of Justice. He gives the appropriate directives to the five Attorneys-General in their capacity as Directors of Police (whose territory corresponds to the districts and regional inspectorates), which authorities give the State and municipal police in their area the requisite orders.
Policemen, irrespective of rank or possible attachment to a special service, possess general powers of criminal investigation, by which should be understood powers to detect and investigate all punishable offences within the area where the policeman concerned is stationed; with these powers is connected the making of a report on all punishable offences discovered, together with the application in certain cases of coercive measures, such as detention of suspects and confiscation of property. Only technical and administrative personnel do not in general possess powers of investigating punishable offences.

Specialization

In general the following specialized branches are encountered in the larger municipal police forces: criminal investigation, aliens department, children's police, vice squad, traffic police and administration. The largest municipal police forces have still greater specialization. With the State Police specialization is in general restricted to water police, air police, traffic police, administration and the district criminal investigation sections and Public Prosecutor's Office sections mentioned above.
The Police Division of the Ministry of Justice has on its staff experts who are active on behalf of the whole of justice and police. Their fields cover photography, detection of forgeries, fingerprinting, and combating of drug traffic, white slavery, pornography, international criminals, theft of motor vehicles and serious crimes in general. The Division also covers the Judicial Laboratory, the Forensic Laboratory and the Criminal Records Office.

Costs

The costs of the Corps of State Police are borne by the Ministry of Justice. The costs of the municipal police forces are borne in the first instance by the local authorities concerned; however, these receive from the State (Ministry of Internal Affairs) a reimbursement of police costs calculated in accordance with fixed standards, which should practically cover expenditure if strict economies are observed.

Police reserves

Both State Police and municipal police forces accept volunteers who are intended to take over the daily tasks of the regular police, with the exception of the specialist branches, in extraordinary circumstances (e.g. in time of war or if disasters occur), in the event of the regular police having to engage in other activities.
These volunteers are given training at regular intervals and wear the same uniforms (with an inconspicuous special distinctive badge) and carry the same arms as the regular police.

Royal Constabulary

The military corps of Royal Constabulary (the Koninklijke Marechaussee) performs part of the task of civil police, namely guarding the frontiers. This corps is also responsible for military police duties (keeping order and investigating punishable offences in the armed forces), guarding the Royal Family and guarding the frontiers from a military point of view. The Constabulary are also detailed to aid the police, if necessary, if the assistance of the State Police does not suffice.

The Netherlands Nationality and Citizenship Act dates from 12 December, 1892. It came into effect on 1 July, 1893. Netherlands nationals by birth are children whose father possesses the status of Netherlands subject at the time of their birth or, in the case of an unacknowledged illegitimate child, if the mother is a Netherlands subject. An unacknowledged illegitimate child born in the Kingdom of a woman who is not a Netherlands subject is also a Netherlands national unless the child proves to possess another nationality.
It is thus possible to be a Netherlands subject as a result of having Netherlands subjects as parents and/or of birth within the Kingdom.

Naturalization

Netherlands nationality can also be acquired by naturalization, which is a legal procedure. Every naturalization costs the sum of not less than two hundred and not more than one thousand guilders. It is the custom that a naturalization bill covers a number of persons at the same time, mostly twenty. In order to facilitate a decision by the States-General a short curriculum vitae of each person is given, which states a number of antecedents. In general it is necessary to have resided in the Kingdom for five years to qualify for naturalization.
Naturalization may also be granted for reasons of state. In that case the above provisions do not apply, unless that is stated separately. An example of naturalization for reasons of state is the marriage of a female member of the Royal Family to someone who is not a Netherlands national.
Married Dutch women in general follow the status of their husbands, unless they do not or cannot acquire another nationality.
A married woman may not submit a request for naturalization. When a man is granted Netherlands nationality by naturalization, not only his wife but also his minor children likewise acquire Netherlands nationality. However, a child reaching full age may request that it no longer be included in the naturalization.
Netherlands nationality is lost by naturalization in another country, as a result of deprivation by the Crown in the event of double nationality, by voluntarily entering into the service of a foreign state or into foreign military service without leave of the Crown and finally, in the case of those born abroad, by residing for longer than ten years outside the Kingdom without giving notice of the desire to retain Netherlands nationality. A woman who has lost Netherlands nationality by marriage gets it back

if she submits a request to that effect within one year after the dissolution of the marriage. A minor who has lost Netherlands nationality gets it back upon attaining his majority, provided that he requests it within a year of becoming of age.
All those who do not possess the status of Netherlands subject or who are Netherlands nationals on some other ground are called aliens.
The inhabitants of the overseas territory Netherlands New Guinea are Netherlands subjects. Netherlands nationality is the recognition of the link with the Netherlands State. A Netherlands subject residing in the Netherlands can be elected to Parliament.

Birth, marriage, death and divorce

In every municipality there are two or more keepers of the civic records. They are appointed by the Council, on the recommendation of the burgomaster and aldermen. The keepers of the civic records are responsible for keeping the registers of births (notice of marriage, permission to marry), marriages and divorces, and deaths. Anyone can have a copy of or extract from an entry in the civic records made against payment of the costs involved. Interested parties may request the District Court to have errors rectified.

Birth

Within three days after the delivery notification of *birth* must be made by the father or, if he is unable to do so, by other persons who were present at the birth.

Marriage

Marriages are concluded before the keeper of the civic records, in the Town Hall. The parties are accompanied by two witnesses. The keeper of the civic records draws their attention to a number of statutory obligations and after solemnizing the marriage briefly addresses the newly wedded couple on the theme of the great significance of marriage. The minimum age for entering into marriage is eighteen for men and sixteen for women. For important reasons the Queen may grant dispensation from this provision. A marriage ends by the death of one of the couple, by divorce, by dissolution five years after judicial separation and by the absence of one of the couple for ten years, followed by the marriage of the other spouse, for which the court must grant permission (the period of ten years is shortened to one if the spouse was on board a ship or aircraft which was wrecked or is missing). Before minors can enter into a marriage they require the consent of their parents or, if these are deceased, of their grandparents and guardian. Children of full age who have not yet reached the age of thirty also require the consent of their parents. If the latter refuse, the marriage can still be concluded through the intermediary of the magistrate's court.

This is not possible in the case of minors, unless the parent refusing to give consent has no legal authority over the child. In the Netherlands the church ceremony may not be held until the civil marriage has taken place.

Death

The death certificate is drawn up by the keeper of the civic records. For the burial the permission is required of the keeper of the civic records, and to give this he requires a medical certificate issued by the doctor of the deceased. If the latter is not possible, or if cremation is desired, a certificate issued by the municipal medical examiner is required. Cremation is only possible if the deceased has expressed his wish to be cremated by means of a written declaration or a declaration of no objection from the public prosecutor of the district court.

Guardianship

The parents exercise parental rights jointly over their minor children, but in the event of a difference of opinion the father decides. However, the mother can request the juvenile court to set aside the father's decision. All minors who are not under parental control are under guardianship. If one of the parents dies the other parent automatically becomes the legal guardian of the children born of their marriage. In every case of guardianship the magistrate's court appoints a co-guardian, who must be resident in the Netherlands. If both parents are deceased and guardianship is not provided for by will, the magistrate's court also appoints the guardian. Except in a number of cases specified by law one is obliged to accept the guardianship. The parents may be released from or deprived of their parental rights by the court. Deprival may be pronounced in cases of misuse of parental rights, gross neglect of the child, sentence to imprisonment for two years or more or because of certain crimes committed against the minor. If one of the parents is deprived of parental rights, the other parent exercises the parental rights alone. The court appoints a guardian and a co-guardian if both parents are released from or deprived of parental rights. The court may reinstate the parent in his parental rights. The guardian represents the minor at law and otherwise. Every year the guardian renders an account to the magistrate's court of his administration of the child's property. Guardianship ends when the child attains his or her majority.

Adoption

The Act of 26 January, 1956, introduced the possibility of adoption into the Netherlands. This act came into effect on 1 November, 1956. Adoption comes into being as the result of a court order at the request of the married couple who wish to adopt the child. The guiding principle is that adoption must be in the obvious interests of the child. Some of the conditions are that the child must be a minor, that it is not a descendant of one of the adopting couple, that each of the adopters is at least 18 and not more than 50 years older than the child, that on the day of the request the child has already in actual fact been looked after and brought up by the adopters together for more than three years, and that one of the two is the child's guardian. Appeal to the Court of Appeal against the court order is possible.

Through adoption the adopted child acquires the status of legitimate child of the adoptive parents. The civil relationship with its blood relations and relations by marriage ceases to exist.

The adoption may be revoked, as a result of which the child reverts to its former status, by a court order at the request of the adopted person not sooner than two years and not later than three years after the day upon which he or she attained his or her majority (21 years of age). The request for revocation is only granted if it is in the obvious interests of the child.

In January 1957 the Minister of Justice installed the Central Adoption Council, which has fifteen members. The council serves as an advisory body with regard to requests for adoption and requests for the revocation of adoption.

Right of succession

A distinction must be made between right of succession at law and right of succession by will. In the case of right of succession at law the successors are the spouse, who receives a child's portion, and the children. The issue of predeceased children take the place of their deceased father or mother. If there are no children, the remaining spouse inherits everything. If there are no spouse and no children the parents, sisters and brothers of the deceased inherit and if there are none of these the blood relations on the paternal and maternal side inherit equal shares down to the sixth degree of blood relationship. If there are no blood relations, the estate accrues to the State. Natural children succeed by law to a third part of what a legitimate child is entitled to; if there are no other heirs at law, they receive the whole estate. If there is a will and there are heirs who are entitled to what is known as a legitim, the testator can only leave part of his estate to others. In this case, therefore, the heirs at law receive less than they would have received if no will had been made. The surviving spouse may be disinherited by will.

Death duty

The State levies death duty on what is inherited or obtained from an estate. Within eight months after the decease of the testator a return must be made to the Receiver of Death Duty of what is inherited. Inherited rights are also taxable.

The value of stocks and shares is taken from a list appearing weekly. In the case of stocks and shares not appearing on that list, the market value is taken. For immovables, vessels and trading and professional assets the market value again applies.

Table 1

Part of the taxed acquisition in guilders		If the following inherit or acquire:											
Between (1)	and (2)	1. children or spouse		2. descendants in the second or further degree		3. blood relations in direct ascending line		4. brothers and sisters		5. children of brothers and sisters		6. all other persons except juridical persons which inter alia serve a purpose of general social importance	
		a	b	a	b	a	b	a	b	a	b	a	b
0	1,000	0	3	0	5	0	10	0	18	0	27	0	36
1,000	2,000	30	4	50	6	100	12	180	20	270	29	360	38
2,000	5,000	70	5	110	8	220	14	380	22	560	31	740	40
5,000	10,000	220	6	350	10	640	16	1,040	24	1,490	33	1,940	42
10,000	25,000	520	7	850	12	1,440	18	2,240	26	3,140	35	4,040	44
25,000	50,000	1,570	9	2,650	14	4,140	20	6,140	28	8,390	37	10,640	46
50,000	100,000	3,820	11	6,150	16	9,140	22	13,140	30	17,640	39	22,140	48
100,000	200,000	9,320	13	14,150	18	20,140	24	28,140	32	37,140	41	46,140	50
200,000	500,000	22,320	15	32,150	20	44,140	26	60,140	34	78,140	43	96,140	52
500,000	and the higher amount of the taxed acquisition	67,320	17	92,150	22	122,140	28	162,140	36	207,140	45	252,140	54

a: amount of tax on an acquisition listed alongside in column (1).
b. percentage of tax levied on the part of the taxed acquisition situated between the amounts listed alongside in columns (1) and (2).

Not all the value of the inheritance is taxable. Netherlands law also grants exceptions which are greater according as the acquirer is a closer relation of the testator. The exceptions vary from fls 20,000 for a widow to fls 3,000 for blood relations other than children. Additional exceptions apply to minors. The exception for invalid children is higher than for normal ones. Periodical payments under life insurances or third party agreements varying from fls 4,000 for a widow to fls 1,000 for a half-orphan are free from death duty. The rate of death duty is very moderate, as Table 1 shows.

The same rate as that of death duty applies to gifts made during the donor's lifetime. Exemptions also apply to these. Parents may present a child with fls 2,000 per calendar year free from gift duty. This figure increases to fls 10,000 for the year in which the child marries. The parents of married children may each give them one tenth of their income every year free from gift duty, provided that this does not exceed fls 5,000. In other cases a donor may give a donee a sum not exceeding fls 2,000 per 24 months.

Gifts for remission of debts of the donee are free from gift duty.

Divorce

At the suit of one of the spouses the court may pronounce their divorce. There are four grounds on which divorce can be sought, viz. adultery, malicious abandonment, sentence for a criminal offence to imprisonment for at least four years and serious injury or such maltreatment as to endanger the spouse's life. Under the law divorce cannot take place by mutual consent. In practice, however, this prohibition is often evaded by one of the spouses admitting to having committed adultery by mutual agreement and the other defaulting or confessing, which leads to the petition for divorce being granted (the gross falsehood).

After having pronounced the divorce, the court arranges the guardianship over the minor children, and it may fix an amount which must be paid as a maintenance allowance by the spouse who has sued for dissolution of the marriage to the other, if he or she does not have an adequate income.

The marriage is not dissolved until the divorce decree is entered in the civic records. This entry must be made within six months after the decree has become final. If this is not done, the decree lapses.

An intermediate form is *judicial separation*. This is also pronounced by the court, but does not result in dissolution of the marriage. However, cohabitation is no longer obligatory. The grounds for separation are the same as those for divorce, and furthermore separation can be sought on the ground of extravagance, ill-treatment and gross insults. Separation is also possible by mutual consent. In that case both spouses must submit to the court a request to that effect.

After judicial separation has been pronounced the court decides which of the parents is to exercise parental rights over the children. If the judicial separation has lasted five years, dissolution of the marriage may be sought. However, the other party must consent to this. No specific ground is required for this dissolution.

	Marriages	Divorces	Judicial separations
1955	89,037	5,498	891
1956	92,272	5,548	918
1957	93,592	5,342	877
1958	91,508	5,280	896
1959	88,007	5,530	918
1960	89,103		

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STATISTICS IN BRIEF

Official name: Kingdom of the Netherlands (Koninkrijk der Nederlanden)

Reigning monarch: Juliana Louise Emma Marie Wilhelmina, Queen of the Netherlands, Princess of Orange-Nassau

Government: Hereditary and constitutional monarchy; the Parliament, called the Staten-Generaal consists of two Chambers

Seat of government: The Hague

Capital: Amsterdam

Parts of the Kingdom	*Capital*	*Area in sq.km (1960)*	*Population (1.1.61)*
	In Europe:		
The Netherlands	Amsterdam	32,472	11,555,934
a) Provinces			
Groningen	Groningen	2,246	477,648
Friesland	Leeuwarden	3,240	479,863
Drente	Assen	2,619	314,429
Overyssel	Zwolle	3,255	783,360
Gelderland	Arnhem	5,006	1,287,82[illegible]
Utrecht	Utrecht	1,323	686,56[illegible]
North Holland	Haarlem	2,631	2,073,12[illegible]
South Holland	The Hague	2,814	2,726,190
Zealand	Middelburg	1,710	283,91[illegible]
North Brabant	's-Hertogenbosch	4,902	1,512,789
Limburg	Maastricht	2,219	894,341
b) North- East Polder	Emmeloord	501	28,75[illegible]
Eastern Flevoland	Lelystad		990
Central population register (persons having no fixed residence, living in caravans and houseboats, shipping population etc.)			6,137
	Overseas parts:		
a) Self-governing			
Surinam (31.12.58)	Paramaribo	142,822	246,000
Neth. Antilles (31.12.59)	Willemstad	961	196,110
Curaçao	Willemstad		127,840
Aruba	Oranjestad	872	58,868
Bonaire	Kralendijk		5,753
St. Martin *)	Philipsburg		1,537
St. Eustatius		89	1,01[illegible]
Saba			1,09[illegible]
b) Not yet self-governing			
Neth. New Guinea (1959)	Hollandia	416,000	439,411 [illegible]

Municipalities with 100,000 inhabitants and over (1.1.61):

Amsterdam	866,342	Tilburg	138,546
Rotterdam	729,744	Nijmegen	131,593
The Hague	605,876	Enschede	126,122
Utrecht	256,332	Arnhem	124,818
Haarlem	169,497	Breda	108,658
Eindhoven	168,858	Apeldoorn	104,881
Groningen	146,301	Hilversum	101,985

Religion (1957):

Protestants 41%, Roman Catholics 39%, other creeds 4%, no religion 16%

Money:

Guilder (Dutch: gulden) = 100 cents

Abbreviation: fls

fls 10.00 = Tientje
fls 2.50 = Rijksdaalder
fls 0.25 = Kwartje
fls 0.10 = Dubbeltje
fls 0.05 = Stuiver
fls 0.01 = Cent

The total agricultural area (May 1960), in hectares, is:

3,317,232

Number of holdings (May 1960):

300,000

Average yield per hectare (1960):

Wheat	4,662 kg	Barley	4,233 kg
Rye	3,032 kg	Potatoes	28,428 kg
Oats	3,391 kg	Sugar beet	50,544 kg

Livestock (December 1960):

Cattle	3,228,000	Sheep	263,000
Pigs	2,933,000	Hens	32,995,000
Horses	177,000	Ducks	1,238,000

Agricultural products (1959):

in thousands of of metric tons

Meat	586	Cheese	205
Eggs	299	Condensed milk	340
Milk (all milk products)	6,300	Milk powder	78
Butter	80		

Fisheries (1960):

Quantity 288,489,000 kg

Horticultural products (1959):

in thousands of metric tons

Vegetables (Salad, cabbage, peas, tomatoes, gherkins etc. and early potatoes) 1 071

Fruits (Apples, pears, plums, cherries, grapes etc.) 566

Flowers:

Tulips	134,000,000
Roses	93,000,000
Daffodils	49,000,000
Gladioli	33,000,000

Value of agricultural and horticultural produce (1959):

Agriculture	1,237 million guilders
Cattle-breeding	4,222 million guilders
Horticulture	1,065 million guilders

Production of raw materials and energy (1960):

Coal	12,498,000 metric tons
Electrical energy	16,394 million kWh.
Gas	3,762 million units
Crude petroleum	1,917,000 tons
Salt	1,095,000 tons

Commerce (1960):

in millions of guilders

Exports from the Netherlands to:		Imports into the Netherlands from:	
Germany (West)	3,452	Germany (West)	3,712
United Kingdom	1,676	United Kindom	1,184
Belgium and Luxembourg	2,184	Belgium and Luxembourg	3,155
France	902	France	659
U.S.A.	743	U.S.A.	2,276

Turnover in some principal industries (1960):

in 100 millions of guilders

	Total value	Exports
Chemical industry	52.6	26.85
Textile industry	28.77	10.07
Metal industry	106.13	38
Manufacture of foodstuffs	100.17	24.92

Communications

Railways (1.1.60): 3,229 km, of which 1,624 km are electrified
Main roads (1.1.58): 4,528 km
Navigable rivers and canals (1.1.60): 6,768 km
Mercantile marine (1.1.61): 1501 ships, 4676196 GRT
Goods transported in inland shipping (1959) 53,478,600 m. tons
International inland shipping (1959) 75,946,000 m. tons
Sea-going shipping (1960) 108,487,000 m. tons

Goods traffic in the Netherlands sea-ports (1960)
in thousands of metric tons

Unloaded:	Rotterdam	61,552
	Amsterdam	7,788
Loaded:	Rotterdam	21,854
	Amsterdam	3,040

Passengers carried (1959)

Railways	187.3 million
Tram	268 million
Bus	658,9 million

Goods transported (1959)
in thousands of metric tons

Railways	15,463
of which	9,112 international transport
Road	119,105
of which	8,805 crossing the Netherlands frontiers

TOWNS IN THE NETHERLANDS:

1. The Hague
2. Amsterdam
3. Rotterdam
4. Utrecht
5. Eindhoven
6. Arnhem
7. Groningen
8. Leeuwarden
9. Maastricht
10. Harlem
11. Middelburg
12. Assen
13. Ymuiden
14. Hook of Holland